UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/CN.9/1997/2
24 December 1996

ORIGINAL: ENGLISH

COMMISSION ON POPULATION AND DEVELOPMENT
Thirtieth session
24-28 February 1997
Item 4 of the provisional agenda*

FOLLOW-UP ACTION TO THE RECOMMENDATIONS OF THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT, 1994: INTERNATIONAL MIGRATION, WITH SPECIAL EMPHASIS ON THE LINKAGES BETWEEN MIGRATION AND DEVELOPMENT AND ON GENDER ISSUES AND THE FAMILY

Concise report on world population monitoring, 1997: international migration and development

Report of the Secretary-General

SUMMARY

The present concise report on international migration and development has been prepared in accordance with the terms of reference of the Commission on Population and Development and its topic-oriented prioritized multi-year work programme, which was endorsed by the Economic and Social Council in its resolution 1995/55.

This report provides a summary of recent information on selected aspects of international migration and covers such topics as the international migration agenda from Bucharest to Cairo and beyond; migration dynamics; international migration policies; documented and undocumented migrants; refugees and asylum-seekers; labour migration; gender issues; and interlinkages between migration and development. The preliminary, unedited version of the full report is available as a working paper in document ESA/P/WP132.

The report was prepared by the Population Division of the Department for Economic and Social Information and Policy Analysis of the United Nations Secretariat. Acknowledgements are due to the Office of the United Nations High Commissioner for Refugees and to the International Labour Organization which prepared, respectively, for the full report, the chapter on refugees and asylum-seekers, and that on international labour migration, on which the sections on these subjects in this concise report are based.

* E/CN.9/1997/1.

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INTRODUCTION

1. International migration has been widely recognized as a vital element in the development process, both influencing and being influenced by development. For many countries and regions, international migration can also be an influential component affecting population growth. Consequently, issues related to international migration have been in the international agenda for many years. The present report reviews selected aspects of international migration and development. Section I reviews how international migration issues have been examined in the three major United Nations conferences dealing with population as well as at other related major United Nations conferences. Section II discusses the relationship between international migration and population dynamics, including issues related to definitions, data sources and measurement, the role of international migration in population growth, and levels, trends and characteristics of foreign stock. Section III examines Governments' views on international migration and how these views have changed over time, as well as implementation and management of migration policies. Sections IV, V and VI review specific issues related, respectively, to documented migrants, undocumented migrants and refugees and asylum-seekers. Section VII considers international labour migration. International migration and gender issues are discussed in section VIII. Finally, section IX discusses the complex interrelationships between international migration and development.

I. THE INTERNATIONAL MIGRATION AGENDA: FROM BUCHAREST TO CAIRO AND BEYOND

2. The World Population Plan of Action[1] adopted at the World Population Conference in Bucharest in 1974 addressed the needs of documented migrants by focusing primarily on those admitted as workers. The World Population Plan made several recommendations in this regard. Undocumented migration was addressed by only one recommendation (56), which urged Governments to respect the basic human rights of undocumented migrants, prevent their exploitation and combat undocumented migration. Refugees also received scant attention, with one recommendation (53), specifying that problems of refugees should be settled in accordance with international instruments.

3. As regards international migration, the World Population Plan was a landmark achievement. By emphasizing that migration policies should be grounded in the economic and social needs of both sending and receiving countries, it placed international migration squarely within the broader context of socio-economic development.

4. At the 1984 International Conference on Population in Mexico City, the recommendations for the further implementation of the World Population Plan[2] emphasized the importance of considering separately documented labour migration, undocumented labour migration and refugees. The 1984 recommendations also referred to the 1975 International Labour Organization (ILO) Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No. 143),[3] adopted just after the adoption of the World Population Plan.

5. Concerning refugees/asylum-seekers, in the 1984 recommendations Governments were invited to consider acceding - as they had not been in the 1974 World Population Plan - to the 1951 Convention relating to the Status of Refugees[4] and its 1967 Protocol.[5] Governments and international organizations were asked to find durable solutions to refugee-related problems, by providing assistance to countries of first asylum, creating conditions conducive to voluntary repatriation and facilitating local integration where repatriation was not possible. Aside from a provision regarding the non-refoulement of refugees, the problem of the individual's right to asylum was not addressed.

6. It should be noted that the inter-conference period between 1974 and 1984 witnessed a flurry of activity by the international community on international migration. In the area of migrant workers, the International Labour Conference adopted Convention No. 143. The General Assembly adopted resolution 32/120 of 16 December 1977, in which the Assembly invited all States to extend to migrant workers treatment equal to that enjoyed by their own nationals. In its resolution 33/163 of 20 December 1978, the Assembly reiterated that invitation. In its resolution 34/172 of 17 December 1979, the Assembly decided to create at its thirty-fifth session a working group to elaborate an international convention on the protection of the rights of all migrant workers and their families. The Assembly also adopted a series of resolutions dealing with refugees, including its resolution 34/60 of 29 November 1979 in which the Assembly noted with deep concern the continued gravity of the problems of refugees and its resolution 35/124 of 11 December 1980 in which it noted that flows of refugees could impose great political, economic and social burdens upon the international community.

7. In the latter half of the 1980s and early 1990s, growing demographic and labour-market imbalances, widening disparities in economic growth and development between countries and regions, and sweeping changes in global political and economic systems contributed to the intensification of migration pressures. The Programme of Action of the International Conference on Population and Development[6] adopted in Cairo in 1994, reflects many of these recent developments, while incorporating new approaches and new actions. There is considerable emphasis on examining the root causes of population movements and working towards long-term solutions, for example, creating such conditions as would render remaining in one's country a viable option. Governments are asked to foster the inflow of migrants' remittances, to embrace short-term migration as a form of technology transfer, to promote physical protection of refugee women and children, to involve refugees in planning of refugee assistance, and to promote repatriation by assisting in landmine removal.

8. In addition, new and emerging issues were identified. Examples include the possible negative impact of short-term migration on working conditions in host countries, migration pressures due to climatic change, the protection of migrant women and children from abuse by their sponsors, the right of receiving countries to regulate access to their territory, the adverse consequences of forced migration, the situation of persons whose asylum claims have been rejected, the trafficking in women and children, prostitution and coercive adoption, and the sudden and massive arrival of refugees and displaced persons in need of international protection.

9. There have been a number of follow-up activities to the International Conference on Population and Development related to international migration. The General Assembly adopted resolution 49/127 of 19 December 1994 in which it requested the Secretary-General to prepare a report on international migration and development, including aspects related to objectives and modalities for the convening of a United Nations conference on international migration and development; in response, a report of the Secretary-General (E/1995/69) (of 14 June 1995) on economic and environmental questions: reports of subsidiary bodies, conferences and related questions was prepared. The Commission on Population and Development, at its twenty-eighth session in 1995, decided to devote its session in 1997 to the consideration of issues related to international migration and development,[7] while the Assembly in its resolution 50/123 of 20 December 1995, decided to include in the provisional agenda of its fifty-second session the item entitled "International migration and development, including the convening of a United Nations conference on international migration and development".

10. Discussions on international migration issues have also been pursued in other major United Nations conferences. Agenda 21,[8] adopted at the United Nations Conference on Environment and Development in 1992, makes reference to the need for policies and programmes for dealing with migrations that result from or induce environmental disruption. The Programme of Action of the World Summit for Social Development[9] of 1995 contains a section (chap. IV, sect. E) on the social needs of refugees, asylum-seekers, and documented and undocumented migrants. The Platform for Action[10] adopted at the Fourth World Conference on Women in 1995 has portions devoted to women and migration.

11. In conclusion, one feature of the subject that emerges is the fact that international migration has always been a function of the changing political, economic and social context in which it is discussed. Nevertheless, running through all discussions of migration are three common threads: the lack of migration data, the absence of a coherent theory to explain international migration, and the very weak understanding of the complex interrelationships between migration and development.

II. INTERNATIONAL MIGRATION AND POPULATION DYNAMICS

A. Definitions, data sources and measurement issues

12. Despite the growing importance of international migration, the statistics needed to characterize migration flows and monitor changes over time are often lacking. The current set of United Nations recommendations on international migration statistics was adopted by the member Governments in 1976. In February 1997, the Statistical Commission will be considering a report (E/CN.3/1997/15) that sets forth revised recommendations on statistics of international migrant flows and on the measurement of stocks relevant to the study of international migration. The report for the consideration of the Statistical Commission, which was prepared in collaboration with the Population Division of the United Nations Secretariat, was based on an extensive review carried out jointly by the United Nations Statistics Division and the Statistical Office of the European Communities in cooperation with the regional

commissions and other interested organizations. Many of the points discussed in the present section are considered more thoroughly in the report to the Statistical Commission.

13. International migration occurs when a person who lives in one country moves to another. However, not every person who crosses an international border is an international migrant. It is necessary to set criteria to differentiate international migrants from the generality of international travellers. Duration of stay in the country of destination can be used to make such a distinction but, because some tourists may stay longer than persons admitted to undertake seasonal work or undergo training, consideration of duration of stay may not be sufficient. In practice, account must be taken of the State's control over migration and of the fact that the State usually exerts minimal control on the movement of its own citizens while it restricts the admission of foreigners. From the State's perspective, the characterization of international migrants depends on the factors of citizenship and reason for admission, both of which are legal in character.

14. Data on international migration can be obtained from three types of sources: (a) administrative sources; (b) border statistics; and (c) household-based inquiries. Administrative sources include population registers, registers of foreigners, information derived from the issuance of visas, residence permits, work permits and exit clearances. Border statistics encompass all data gathered at the time of border control and may be administrative or purely statistical in nature. Household-based inquiries include censuses and various types of household surveys.

15. Administrative sources yield data based on administrative or regulatory criteria. Certain administrative sources, such as population registers, can produce fairly reliable information on the migration of citizens and foreigners. However, other administrative sources, such as statistics derived from the issuance of visas or residence permits, can provide information only about foreigners and, because the procedures they reflect need not be contemporaneous with migration, they may not be adequate indicators of the timing of the latter. Thus, in countries where foreigners can adjust their status after entry, residence permits may be issued long after a person has moved into the country.

16. Border statistics have the advantage of reflecting accurately the timing of a move and tend to cover the movements of both foreigners and citizens in comparable ways. However, in only a few countries do border statistics produce reliable data on international migration. Countries having only a few well-controlled ports of entry and departure are more likely than others to gather useful border statistics. For most countries, the sheer volume of people travelling internationally makes the gathering of complete and accurate information on international migrants at the border a challenge. Only a few countries produce adequate statistics on international migration flows and the data gathered are not always comparable across countries.

17. With respect to household-based inquiries, censuses and household surveys are mostly used to measure migrant stocks. For this purpose, international migrants are generally defined in terms of place of birth (they are equated with the foreign-born). Data on the foreign-born are available for 61 per cent of

the countries that conducted a census during 1975-1984. Countries that do not gather information on place of birth tend, instead, to gather information on citizenship (39 per cent of countries conducting a census during 1975-1984 gathered such information). Although foreigners cannot be equated with international migrants, their number can be used as an indicator of the migrant stock in countries lacking data on the foreign-born.

18. Undocumented or irregular migration usually eludes statistical accounting. The term refers to that group of international migrants who have not fulfilled all the requirements set by the receiving State for entering its territory, residing within it or exercising an economic activity remunerated from within it. Given the variety of scenarios that can lead to an undocumented situation, it is not possible to suggest a unique methodology for its measurement. Attempts made to quantify undocumented or irregular migration in particular cases have relied heavily on the specificity of each situation not only in regard to the type of irregular situation that predominates but also with respect to the type of information that is already available and may provide some basis for estimation. Information relevant to the measurement of undocumented migration can be gathered in both countries of origin and countries of destination. The richer the information available in terms of the variety of data sources, the type of coverage of each, the characteristics recorded and the ease in obtaining special tabulations, the more likely that acceptable estimates may be derived.

19. With respect to data on refugees and asylum-seekers, the Office of the United Nations High Commissioner for Refugees (UNHCR) gathers information from Governments concerning the number of refugees in their territories by using special forms that are filled out annually. The information relates to stocks at the end of a calendar year and a distinction is made between refugees and other groups that are of concern to UNHCR, including internally displaced persons, returnees and refugees repatriating voluntarily either on their own or through organized programmes. The category of refugees includes refugees according to the 1951 Convention and its 1967 Protocol, persons recognized as refugees under the 1969 Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa,[11] and persons recognized by UNHCR. UNHCR statistical reports explain that the quality of the data presented varies considerably among countries, being based on detailed registration in some and on rough extrapolations based on health surveys or on "visual assessments" in others.

B. Role of international migration in the growth of population

20. International migration can play an important role in the growth of population. Based on The 1996 Revision of the official United Nations population estimates and projections, prepared by the Population Division of the United Nations Secretariat, 45 per cent of the overall population growth in the more developed regions for 1990-1995 was attributed to net international migration. On the other hand, international migration lowered slightly the overall growth rate of the population in the less developed regions by 3 per cent.

21. While Europe, Northern America and Australia-New Zealand exhibited net in-migration, Africa, Asia, Latin America and the less developed regions of Oceania showed net out-migration. Around one third of the population growth rate of Northern America and Australia-New Zealand was due to international migration in 1990-1995. The impact of international migration on population growth is particularly important in Europe, where almost 88 per cent of the population growth rate during the period 1990-1995 came from international migration.

22. The net out-migration rate for Africa as a whole was -0.2 per 1,000 in 1990-1995, which contributed to a reduction in the growth rate of population by less than 1 per cent. Asia and the less developed regions of Oceania (Melanesia, Micronesia and Polynesia) exhibited net out-migration of -0.4 per 1,000 and -1.4 per 1,000, respectively, in 1990-1995. All the regions in Latin America and the Caribbean showed a net out-migration in 1990-1995 reducing the population growth rate by 7 per cent.

C. Levels and trends of international migration

23. The number of international migrants (foreign-born stock) in the world rose from 75 million in 1965 to 120 million in 1990, exhibiting an annual growth rate of 1.9 per cent over the period 1965-1990. However, the annual rate of growth of the international migrant stock has been rising, passing from 1.2 per cent per year during 1965-1975 to 2.2 per cent annually during 1975-1985 and reaching 2.6 per cent per year during 1985-1990. Despite such accelerating growth, by 1990 international migrants accounted for just 2.3 per cent of the total population of the world. However, their distribution by region was far from uniform (see table). Thus, in 1990 international migrants constituted 4.5 per cent of the population of the more developed regions and 1.6 per cent of that in the less developed regions. In Oceania, international migrants made up 18 per cent of the population; in Western Asia they accounted for nearly 11 per cent; in Northern America their share of the population stood at 8.6 per cent, and in the market-economy countries of Europe they constituted over 6 per cent of the population.

Number and distribution of international migrants by major area, 1990

Major area	Number of migrants Millions	Percentage of world total
World	120	100
Africa	16	13
Asia	43	36
Europe and the former USSR	25	21
Latin America and the Caribbean	7	6
Northern America	24	20
Oceania	5	4

24. In 1990 Africa was hosting an estimated 15.6 million international migrants or 13 per cent of the world's migrant stock (see table). Refugees constituted almost 30 per cent of that total (4.6 million). During the 1990s, the resolution of some long-standing conflicts in the region made possible the repatriation of sizeable numbers of refugees. In 1994 alone, over 1.8 million refugees returned to their countries of origin and by the end of the year there were 3.1 million returnees of concern to UNHCR. However, the emergence of new conflicts, such as the war in Liberia, the clan-based conflict in Somalia and the ethnic confrontation in Rwanda, have led to new refugee outflows. Thus, by early 1995, the number of refugees in Africa reached a high of 6.8 million, only to decline to 5.7 million by early 1996 because of the voluntary repatriation of Tutsis to Rwanda. With regard to other types of migration in Africa, information is sparse. Although there are reports of increasing undocumented migration in the region, data on the issue are rare.

25. According to global estimates of the migrant stock, Asia was hosting in 1990 nearly 36 per cent of all international migrants in the world (43 million). The majority were concentrated in South-central Asia (21 million) and Western Asia (14 million). In South-central Asia, the Islamic Republic of Iran and Pakistan were providing asylum to 5.7 million Afghan refugees in 1990. In 1993, Afghan refugees began returning to their country, but the persistence of conflict has slowed their repatriation. The Islamic Republic of Iran also provided a safe haven for Iraqi Kurds fleeing civil unrest after the Gulf war, most of whom returned to settle in the demilitarized zones established along the Iraq-Turkey border. In Western Asia, Israel has received sizeable inflows of immigrants from the Russian Federation and other Commonwealth of Independent States (CIS) countries and, in addition, has begun to import temporary migrant workers from both European and South-eastern Asian countries. The six member States of the Gulf Cooperation Council (GCC) have been importing migrant workers since the 1970s. Consequently, the foreign population in those countries rose from 1.9 million in 1975 to 8.0 million in 1990. Although the Gulf war led to the repatriation of numerous migrants, evidence on the placement of workers originating in the labour-exporting countries of Southern and South-eastern Asia indicates that migration to Western Asia has rebounded. Nevertheless, the diversification of destinations for migrant workers from other Asian countries has increased, particularly in the cases of China, Indonesia, the Republic of Korea, the Philippines and Thailand. Japan and the newly industrializing economies of Asia are the most common alternative destinations. In addition, there are reports of rising undocumented migration in some of these countries.

26. In 1990, the countries of Latin America and the Caribbean were hosting 7.5 million international migrants, corresponding to 6.2 per cent of the migrant stock of the world. Between 1975 and 1990, most of the growth of the migrant stock in the region was attributable to the increasing number of migrants in Central America (427,000 in 1975 rising to 2,047,000 in 1990), the majority of whom had fled conflict and civil strife in their countries. With the resolution of those conflicts, the repatriation of refugees and displaced persons in the region became possible. Thus, by early 1996, the number of refugees in Central America stood at 75,000, down from 1.2 million in 1990. Information on other intraregional migration flows in Latin America and the Caribbean is meagre. There is better information on the outflow of Latin Americans to Northern America. For most countries in the region, the major country of destination is

the United States of America. During 1990-1994, 37 per cent of the 3.8 million immigrants admitted by that country originated in Latin America and the Caribbean; in addition, of the 2.7 million foreigners who regularized their status under the Immigration Reform and Control Act of 1986 (IRCA), about 90 per cent had originated in the region.

27. In Northern America, both Canada and the United States registered an increase in the number of immigrants admitted during 1990-1994 in comparison with those admitted during 1985-1989. In Canada, the rise was from 690,000 to 1,170,000 immigrants, and in the United States from 3,028,000 to 3,849,000 (excluding persons legalized under IRCA). In both countries, immigrants originating in Asia predominated, constituting 55 per cent of those admitted by Canada during 1990-1992, and 42 per cent of those admitted by the United States during 1990-1994. In the United States, immigrants from Latin America and the Caribbean accounted for 37 per cent of the total, whereas in Canada their share was 17 per cent. Persons of European origin accounted for 18 per cent of the immigrants to the United States and for 20 per cent of those to Canada.

28. In Oceania, Australia and New Zealand experienced major changes in trends between 1985-1989 and 1990-1994. In Australia, the number of immigrants declined from 615,800 to 462,600. In New Zealand, the number of persons admitted for at least a year rose from 221,200 to 274,700 and the number departing for at least a year declined from 307,000 to 220,800, leading therefore to a marked change in net migration from a loss of 85,800 persons in 1985-1989 to a net gain of 53,800 persons in 1990-1994. Given that New Zealand had been recording net migration losses since 1975, the net gain for the most recent period represents a major change in trends.

29. With an estimated 25 million migrants in 1990, Europe and the former Union of Soviet Socialist Republics (USSR) accounted for 21 per cent of the world's migrant population. That number is likely to have grown substantially during 1990-1994 because of the break-up of the USSR and Yugoslavia in 1991. According to the 1989 census of the USSR, what is now the Russian Federation alone had at least 10 million persons born in other parts of the former USSR and 25 million Russians were living in non-Russian republics. More recently it has been estimated that between 54 million and 65 million persons living in the successor States of the USSR are not citizens of their State of residence. The major political changes taking place in Eastern-bloc countries facilitated the migration of certain groups. Thus, between 1987 and 1993, Germany received nearly 1.7 million ethnic Germans from Eastern-bloc countries. In addition, the break-up of the former Yugoslavia and the conflict that ensued have given rise to the largest number of refugees in Europe since 1945. Thus, the number of refugees in the region rose from 0.8 million early in 1990 to 2.1 million in early 1996. During the 1980s, partly as a result of the reduction of travel restrictions in Eastern-bloc countries, the number of applications for asylum filed in other European countries increased markedly, passing from 67,000 in 1982 to 694,000 in 1992 when their number peaked. By 1994 their number had declined to 320,000. Although most asylum-seekers failed to obtain refugee status, significant proportions were allowed to stay for humanitarian reasons.

III. INTERNATIONAL MIGRATION POLICIES

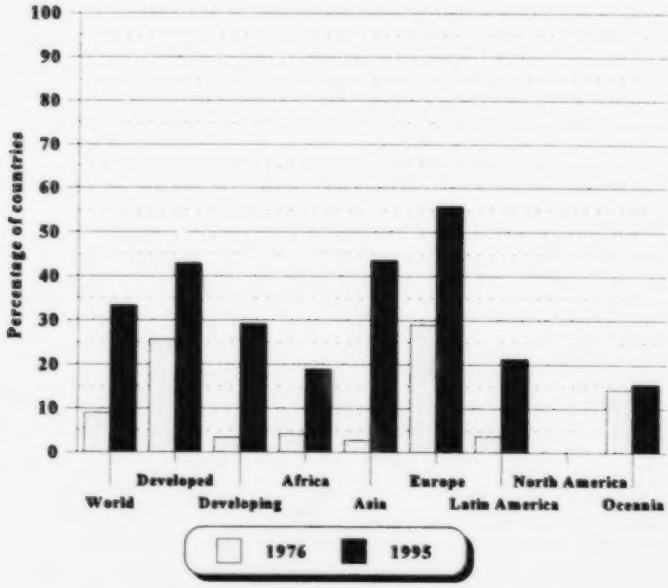
30. When the monitoring of Governments' views and perceptions towards migration first began in 1976, international migration was a topic of secondary concern for many Governments. Only a minority of Governments had explicit policies with respect to intervening in migration levels: 13 per cent of countries had policies to raise or lower immigration, and 17 per cent to raise or lower emigration. Today, the situation has changed significantly, as the area of international migration has assumed prominence among issues of national and international concern. Many more Governments now consider migration and its consequences to be significant for their countries. By 1995, 40 per cent of countries had developed policies to raise or lower immigration and 24 per cent to raise or lower emigration.

31. Major changes in Governments' perceptions of migration trends took place during the second half of the 1970s and the early 1980s. In the context of economic recession, Governments' concerns over the consequences of both immigration and emigration increased, particularly in developed countries. In 1976, only 6 per cent of Governments viewed immigration as too high, but this percentage rose to 13 per cent in 1980 and reached 19 per cent in 1983. Although less striking, changes in the perception of emigration were also significant: 20 per cent of Governments in 1983 found the level of emigration too high versus 13 per cent in 1976. Governments' perceptions of both immigration and emigration levels have shown remarkably little change since 1983. On the other hand, the number of Governments adopting measures to control and often reduce these flows kept growing until recently. The percentage of countries with policies to lower immigration steadily increased, from 6 per cent in 1976 to 19 per cent in 1986; it had jumped to 32 per cent by 1989 and reached 35 per cent by 1993 (see figure). In 1995, the percentage stood at 33 per cent. A reversal occurred after 1989 with respect to emigration policies. The percentage of countries seeking to lower emigration, which had increased from 13 to 25 per cent between 1976 and 1989, fell to 20 per cent in 1993.

32. Developed countries showed the strongest inclination towards restricting immigration, but developing countries are following the same trend. As of 1995, 29 per cent of the developed countries considered immigration levels to be too high, as did 18 per cent of the developing countries. These numbers signified an increase over 1976, when only 8 per cent of developed countries and 3 per cent of developing countries viewed immigration levels as too high. With respect to policies, far fewer countries now pursue a policy of non-intervention, and this is true for both developed and developing countries. In 1976, 59 per cent of developed countries had policies of non-intervention, whereas only 18 per cent had such policies in 1995. In developing countries, 80 per cent had policies of no intervention in 1976, compared with 42 per cent in 1995. During the same period, the percentage of Governments having a policy to reduce immigration increased from 26 per cent in 1976 to 43 per cent in 1995 for the developed countries, and from 3 to 29 per cent for the developing countries.

Proportion of countries in various country groups and regions with policies to lower immigration

(Percentage)



33. With regard to emigration, both developed and developing countries show an increased propensity to intervene. The percentage of Governments with a policy of non-intervention decreased from 79 per cent in 1976 to 48 per cent in 1995 for developed countries and from 61 to 55 per cent among developing countries.

34. Many factors can explain the increased adoption of immigration and emigration policies. In Eastern and South-eastern Asia, a growing number of countries are attracting foreign workers while simultaneously experiencing the emigration of their citizens and have consequently begun to adopt measures aimed at limiting the admission of foreigners. In Western Asia, there have been significant changes in the country of origin and number of foreign workers since the 1970s. In the receiving countries of Europe in the 1990s, migration policies have responded to the growing influx of asylum-seekers and undocumented migrants. Another major development is the process of harmonization of national policies on international migration and refugees in conjunction with the planned elimination of internal borders among members of the European Union.

35. Migration policies are major determinants of migration trends, but changes in the latter can also lead to changes in migration policy. All States address two principal policy issues concerning migration: regulating the number and type of migrants; and formulating policies to influence the conditions of migrants within the country. The first area generates questions about immigration in terms of intake; while the second entails a set of questions

referring to the nature of incorporation, or what should be done with migrants once they have arrived.

(a) Permanent or long-term migrants. In the current international context, permanent migration is very different from the earlier patterns that characterized the redistribution of human populations. No longer are nations seeking to populate vast unsettled regions and develop land and natural resources by recruiting permanent migrants.

36. Only a small number of countries admit a significant number of immigrants for permanent settlement - chiefly Australia, Canada, New Zealand and the United States. Policies for permanent settlement in these countries increasingly put a greater emphasis on migrant skills. In the early 1990s, both Canada and the United States revised their immigration policies to place a greater emphasis on such skills. In addition, in Australia, Canada and the United States, immigrants admitted through family reunification account for high proportions of immigrant intake. Also, some countries have policies aimed at selective permanent immigration to repatriate ethnic emigrants and to promote the return of ethnic descendants.

(b) Labour migration. In the 1990s, policies and programmes addressing labour migration stem from issues concerned with worldwide economic stagnation and its effect on migration, temporary versus permanent labour migration, utilization of remittances, and the brain drain. Also of concern are such issues as the exploitation of migrant workers; the rights of migrant workers; the needs of female migrant workers; and the return of migrant workers to their countries of origin at the end of their contracts.

37. The migration of workers across international boundaries continues to increase in both volume and geographical scope. While sources of migrants grow, and migration pressure mounts, the number of people the receiving countries are willing to admit is declining. Countries that experience labour shortages are increasingly turning to solutions other than importing workers. These include building factories abroad and exporting jobs, increasing the productivity of current workers by modernizing factories and mobilizing underutilized groups in the domestic labour force (for example, women and older workers).

38. One area of labour migration that continues to be promoted is that of temporary foreign labour and high-skill-type jobs. The rationale behind most temporary migration policies is not only to meet immediate labour shortages, but also to counteract undocumented immigration while avoiding long-term or permanent immigration and its accompanying social costs.

(c) Refugees and asylum-seekers. The 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol inform national policies towards refugees, but new developments and current conditions have led many countries to redefine and reformulate their asylum policies.

39. With the increase in the number of requests for asylum in the early 1990s, many developed countries have adopted measures to limit the number of asylum-seekers and reduce claims from economic migrants and fraudulent refugees. Procedures have been streamlined to accelerate processing and prohibit entry to

persons whose requests are unfounded. The Dublin Convention Determining the State Responsible for Examining Applications for Asylum Lodged in One of the Member States of the European Community, adopted by countries of the European Community in 1990, coordinates asylum processing among countries to prevent asylum-seekers from filing applications in more than one country simultaneously. Other measures to protect refugees have also been devised, both by individual countries and by UNHCR. They include the establishment of designated "safe areas" within countries affected by conflict, and the granting of temporary protected status for short-term asylum.

(d) Undocumented migration. Measures concerning undocumented migrants aim at stemming one of the fastest growing forms of migration in the world today. Trafficking in immigrants is a growing and profitable industry and one partly controlled by international crime syndicates. Increasing numbers of undocumented migrants from different countries are smuggled into the West via routes in Eastern Europe that developed after the disappearance of the rigid border controls of the Soviet era. Lenient visa requirements and limited law enforcement have made some countries common entry points for undocumented migrants.

40. Although virtually all Governments report that they seek to halt the flow of undocumented migrants, many do not implement policies or programmes to control the entry or stay of migrants. Among the measures used by Governments to address the problem of illegal migrants are border patrols, workplace inspections, identity checks inside the country, repatriation, employer sanctions, and airline penalties. The Governments of some receiving countries have resorted to expulsions of undocumented migrants. At the other end of the spectrum are regularization drives and amnesty programmes.

IV. DOCUMENTED MIGRANTS

41. Policies concerning documented migrants involve two distinct components; first, questions concerning regulations and control of the size of the flow and type of migrant, and second, those concerning the conditions of migrants once they are inside the country. Regulations on family reunification, citizenship and naturalization, and measures regarding integration, are intricately linked to each other. Thus, where naturalization and family reunification are common, integration of immigrants into the country may be facilitated.

42. While international instruments have bestowed both direct and indirect civil and humanitarian rights on migrants, States have diverged in their implementation of these norms. In pursuit of national interests, and as manifestations of their sovereignty, States have undertaken a variety of approaches and policy responses.

(a) Social, political, economic and cultural integration. As immigrants become long-term residents, the host society has to adapt to the presence of ethnically, culturally, linguistically, religiously and socio-economically diverse groups in its midst. These differences can challenge traditional notions of national identity and, sometimes, hostility to foreigners among certain groups may arise. Governments are sometimes faced with disenfranchised

minorities in their countries. Integration can be hindered by migrants' marginal situations, in which they lack the means to integrate effectively because of economic disadvantages, lack of qualifications, insecurity of residence, unfamiliarity with the host culture, and deliberate or unconscious discrimination. Immigration policy increasingly focuses on how to manage these conflicts.

(b) Citizenship, nationality, and naturalization. In pursuit of their national interests, and as manifestations of their sovereignty, States have undertaken substantially different approaches to the question of nationality. The complexity of approaches to citizenship acquisition, compounded by the fact that one country may have several eligibility requirements, makes it difficult to devise a comparative scheme for analysis. In general, however, citizenship may be acquired in any of four ways, or any combination of the four: by descent or jus sanguinis (literally, the law or right of blood); by birth or jus soli (the law or right of the soil); by naturalization; or by other means such as registration, declaration and restoration. While most people obtain their citizenship at birth, an increasing number change citizenship or acquire an additional one later on during their lives.

(c) Family reunification: policies and issues. While no international or regional instrument establishes family reunification as a right of international migrants, there is widespread acceptance of the principle that States should facilitate the admission to their territories of the immediate family members of their own citizens or of foreigners who have acquired the right to long-term residence. National laws and regulations on migration establish the conditions under which family reunification can take place, conditions that vary according to the status of the sponsor (usually a migrant him- or herself). In most countries, foreigners admitted temporarily, especially those admitted as workers, cannot be accompanied by their immediate relatives.

V. UNDOCUMENTED MIGRANTS

43. In recent years, undocumented migration has been perceived as a major concern for a growing number of countries. Although the number of undocumented migrants is inherently difficult to determine, the limited information that exists suggests that it has risen significantly in some countries in spite of a proliferation of measures and policy responses. Undocumented migration has existed for a long time and was in many cases tolerated, but economic recession and high unemployment have changed the context, and some sectors, as reflected in public opinion, feel undocumented migrants are compromising their social and economic security, and have been vocal about Government inability to regulate flows. At the core of the issue are questions concerning State capacity to control or manage migration flows.

VI. REFUGEES AND ASYLUM-SEEKERS

44. The worldwide refugee population has risen substantially over the past 30 years: from under 2 million refugees in 1965 to some 13.2 million today. The 1951 Convention relating to the Status of Refugees identified what is still a major root cause of refugee flows: persecution based on who the refugee is (in terms of race, nationality, membership in a particular social group) or on what he or she believes (religion or political opinion). However, categorizing an applicant as a refugee or migrant constitutes a complex issue further complicated by a number of legal and practical factors. One factor derives from the way in which Governments have interpreted the 1951 Convention, which describes a refugee as someone who has a "well-founded fear of being persecuted" in his or her country of origin "for reasons of race, religion, nationality, membership of a particular social group or political opinion" (article 1.A.2). Many States have extended this definition to include people who have fled their homeland to escape from generalized violence, internal conflicts or serious disturbances to public order. The refugee/migrant distinction is further complicated by a number of other considerations. Countries that are affected by political chaos or widespread violence are often countries with low or negative rates of economic growth, declining social welfare standards, high inflation and mounting unemployment. Asylum-seekers may therefore appear to be motivated by material hardship and the desire to establish a better standard of living.

45. From the point of view of potential receiving countries, the problem of refugees and asylum-seekers has assumed various dimensions. Firstly, for some countries, asylum-seekers are arriving at a time when many Governments are seeking to limit the level and type of migration. Secondly, an influx of asylum-seekers represents a financial burden for countries. A third problem can be the condition of asylum-seekers in the host communities. In this context, many receiving States have taken steps, during the past decade, to prevent or deter asylum-seekers from arriving on their territory and to accelerate the procedures employed to examine their claims to refugee status.

46. Managed migration has long formed part of the international community's response to the refugee problem. An important illustration is the practice of refugee resettlement. Also, the migration management concept has come to encompass a broad range of initiatives that seek to address not only the consequences but also the causes of refugee and migratory movements. During the past few years, there has been a growing interest in a further form of orderly migration: the repatriation of asylum-seekers who, after examination of their claim, have been proved not to qualify for refugee status and to be in no need of international protection. There is now an emerging consensus that people who have filed asylum claims but who are judged, in accordance with due process, not to need international protection should, in normal circumstances, be asked to go back to their own country. However, despite the very large number of asylum-seekers whose applications are rejected, Governments have often been unable or unwilling to remove them from their territory. In some cases, the unsuccessful applicants have gone underground or moved on to another country. Sometimes, rejected asylum-seekers have been able to find work, and the authorities have turned a blind eye to their presence; and in many situations, Governments have been reluctant to bear the financial and political costs of organizing large-scale deportation programmes. Thus, according to several

estimates provided to UNHCR, only 20-25 per cent of the unsuccessful asylum-seekers in Western Europe go back to their homeland voluntarily or under the auspices of the receiving State.

47. Refugees in the less developed regions of the world have gained relatively few material benefits from the economic and social provisions of the Convention Relating to the Status of Refugees for the simple reason that the countries to which they flee are typically poor. While refugees living in organized camps sometimes benefit from services that are as good as (if not better than) those available to the surrounding population, refugee populations in the less developed countries generally find themselves in more difficult socio-economic circumstances than those they experienced in their homeland. The situation of refugees who have made their way to the industrialized States can be quite different. Many of these refugees have found that their standard of living, although poor by local standards, is considerably better than they could expect at home. Organized integration programmes often provided in such societies - language classes, special housing programmes and counselling services, as well as training and employment initiatives - have enabled many refugees and their children to adapt successfully. As a result, they have generally been less inclined to repatriate than refugees who have found asylum in less affluent countries.

48. Whether asylum should lead to integration, or whether it should be a means of providing protection until repatriation is possible, has become a particularly important issue. For all its advantages, temporary protection poses a number of problems that still remain to be fully resolved. The rights and entitlements of beneficiaries need to be better defined, as do the duration of temporary protection, the criteria for its cessation and the conditions required for repatriation. In view of the fact that conditions in a country of origin may not improve as quickly as initially anticipated, it must be decided at what point the beneficiaries of temporary protection should have their asylum claims examined on an individual basis, or, alternatively, be offered the full range of rights and entitlements enjoyed by people who are recognized as refugees under the 1951 Convention.

VII. INTERNATIONAL LABOUR MIGRATION

49. Policies on labour migration have been shaped largely by four important developments: first, the redirection of economically motivated movements to the gates reserved for refugees and asylum-seekers as people sought a way around growing restrictions on the admission of foreign labour; second, the rapid expansion of trade and foreign investment flows and their impact on the circulation of professionals and highly skilled workers; third, the intensifying economic integration among States, notably through the European Union and the Southern Cone Common Market (MERCOSUR) in Latin America, and the implications of such integration for common frontier policies; finally the political changes in Eastern Europe and the dissolution of the USSR, which have led to new waves of migration within and out of the region.

50. Within the last decade, the member States of the European Union witnessed the dismantlement of the formal obstacles to labour mobility that had existed

within the European Community. The employment of European Union citizens in European Union member States other than their own has been a stable phenomenon for many years. Today some 2.5 million nationals of European Union member States are working in a country other than their own within the Union. The non-European Union foreign labour population has risen steeply since 1988. The workers have come mostly from the former Yugoslavia and the Eastern European States, Turkey and the Maghreb. A number of bilateral agreements on the importation and employment of Eastern European workers on a "rotation principle" have also been entered into. In 1993, there were 2.5 million citizens of Central and Eastern Europe in the European Union countries.

51. In Central and Eastern Europe, changes in migration laws have been adopted in many countries since the late 1980s. These largely conformed to international standards which guarantee the rights of residents to free movement and the non-discriminatory treatment of migrant workers. In the Czech Republic and Slovakia, the political changes have led to a decline in the number of foreign workers. The former Czechoslovakia imported foreign workers from Viet Nam, Angola, Mongolia and Poland and their numbers hovered around 100,000 until 1990. The number of foreign workers declined to less than 15,000 in mid-1992. In Hungary, where it was estimated that there were some 50,000 illegal workers in 1992, some 50,000 work permits have been issued annually for jobs that are not being filled by nationals. In the Russian Federation, it is estimated that between 300,000 and 500,000 foreigners, coming mainly from the former Soviet republics and China, are either employed illegally or in transit to other destinations.

52. In Australia, Canada and the United States, policy changes have led to the opening of more doors to people whose skills or know-how are considered in short supply in the labour market and to those who can contribute to the development of science and technology. They include professionals and persons of exceptional ability, and those able to bring in capital. In the United States, the Immigration Act of 1990 led to a near-tripling of the share of employment-based visas issued every year, from 54,000 to 140,000. Canada's immigration policy, as reflected in past levels of intake of temporary workers and labour-force immigrants, does not suggest a trend towards growing restrictiveness. From a level of 115,500 in 1981, the aggregate number of temporary and immigrant workers admitted into the country rose to 347,800 in 1990. Australia, as Canada, has an administrative policy that enables the Government to adjust annually the level of immigration according to national priorities, especially labour-market needs. Admissions under employer-nominated schemes and labour agreements fluctuate with conditions in the labour market.

53. For the countries of Latin America and the Caribbean, the last three or four decades have seen the growth of considerable intraregional refugee and labour migration flows. The promoting of regional economic blocs has brought to the policy agenda the question of integrating these countries' labour markets more formally through harmonization of migration policies and removal of restrictions on cross-border flows of labour. The earliest example of efforts at multilateral levels was the Andean Agreement on Migrations which, together with the Andean Social Security Agreement, formed an integral part of the 1973 Cartagena Agreement.

54. In Western Asia, particularly the Persian Gulf States where the 1970s and early 1980s saw temporary labour migration rising rapidly, Governments have recently been announcing measures to progressively "nationalize" the labour market. Contract labour migration flows to the Gulf countries had slumped in the mid-1980s because of the large drops in oil revenues and the consequent decline in construction but rose to earlier levels in the following years, although the rise was interrupted by the Gulf war. The flows changed progressively in terms of composition, shifting towards more workers in low-skill service occupations for which admission policies continued to be liberal. Pressure is now being put on these Governments to cut back on the number of foreign workers in their respective countries as a result of the rising levels of unemployment among young and educated nationals entering the labour force for the first time.

55. In Eastern Asia, the 1980s saw a rapid increase of labour migration on account of the sustained high rates of economic growth experienced by a number of countries. Japan and the newly industrialized States have been experiencing increases in the numbers of foreign workers, many of them undocumented.

56. In Africa, there has also been a clear trend towards restrictions on the admission of foreign labour. Notwithstanding these restrictions, cross-border movements of people have been on the rise. The main poles of attraction for the migrant workers are the mineral-rich countries - the Congo, Côte d'Ivoire, Gabon, the Libyan Arab Jamahiriya, South Africa, Zaire and Zambia - as well as the plantations of Kenya, the United Republic of Tanzania and Zimbabwe.

VIII. INTERNATIONAL MIGRATION AND GENDER ISSUES

57. In 1990, the number of women living outside their country of birth was estimated at 57 million worldwide, representing 48 per cent of world migrant stock. The more developed regions attract female and male international migrants in approximately equal numbers, while in the less developed regions male migrants clearly outnumber female migrants. At the same time, a majority of female (as well as male) migrants - about 30 million in 1990 - live in the less developed regions.

58. The large majority of migrant women are involved in voluntary migration. Although women's propensity to migrate is significantly influenced by their family and marital status, research shows that women are key actors in this process and often play a key role in migration decisions. Migration often provides women with an opportunity to engage in waged employment and thereby increases their ability, through remittances, to improve the welfare of the family remaining in the country of origin.

59. In most countries, migration regulations are not gender-specific. Yet, migration laws and policies tend to assume that female migrants are dependants joining other migrants rather than initiators of migration themselves. In labour-importing countries of Europe and Western Asia, recruitment efforts have long targeted workers for male-dominated occupations. Consequently, women's opportunities to migrate have been more limited. At the same time, the residence and work entitlement of migrants' relatives has often been subject to

many restrictions which have tended to reinforce the status of female migrants within the family as economic dependants of migrant workers. In contrast, in countries favouring migration for resettlement, where dependants such as children and spouses are given admission preference, women have tended to predominate among the foreign-born. In fact, recent years have witnessed an increase in migration flows under family reunification schemes in Western Europe, while employment opportunities in female-dominated occupations have significantly increased in Western Asia.

60. The 1990s have witnessed a feminization of Asian labour migration, with women moving more and more in their own right as autonomous economic migrants, rather than as dependants of male migrants. The main sending countries involved in this trend have been the Philippines, Indonesia, Sri Lanka and Thailand. Women accounted for about 55 per cent of all overseas land-based contract workers leaving the Philippines in 1993, and about 70 per cent of those leaving Indonesia in 1993-1994 and Sri Lanka in 1994. The major receiving countries have been Brunei Darussalam, Japan, Malaysia and Singapore, in Eastern and South-eastern Asia, and Kuwait and Saudi Arabia, among the Persian Gulf countries. The increase in Asian female labour migration has been driven by a growing demand in a few female-dominated activities such as domestic service, entertainment and, to a lesser extent, nursing and teaching.

61. Statistics indicate that women make up half of the total number of refugees. While men and women are found in approximately equal numbers among refugees in a majority of countries, the percentage of women among refugees varies within a relatively large range. At the lower end, women represented less than 15 per cent of refugees in Angola and Cuba and about 25 per cent in Western Asian countries such as Lebanon, Kuwait, Saudi Arabia and Yemen at the beginning of 1996. At the higher end, Yugoslavia stood out with 83 per cent of women among the refugees it hosted.

62. In addition to the problems experienced by all refugees, whether men or women, refugee women and girls have special needs. In particular, they need protection against sexual and physical abuse and exploitation as well as against discrimination in employment. The increasing recognition that programmes for refugees must address these needs led the United Nations High Commissioner for Refugees to issue a series of guidelines for field operations such as the Guidelines on the Protection of Refugee Women (EC/SCP/67) issued in 1991 and Sexual Violence against Refugees: Guidelines for Prevention and Response[12] issued in 1995.

63. Trafficking in migrant women is an issue of great concern. The full scale of the problem remains unknown, although it is generally believed that the number of migrants who resort to traffickers for the purpose of organizing their migration has increased significantly in the recent past. A profitable migration industry has developed in the form of sophisticated international networks, which have attracted individual criminals and criminal organizations. More effective and closer international cooperation among the countries of destination, origin and transit, whether in terms of judicial, law enforcement or police cooperation, is needed to make the prevention and the suppression of trafficking in women more effective.

IX. INTERNATIONAL MIGRATION AND DEVELOPMENT

64. Migration both affects and is affected by socio-economic development. However, given the multiple ways in which international migration can interact with development and the tendency of research to focus on just a few interactions, current knowledge regarding the interrelations between international migration and development is far from complete and few generalizations are possible.

65. There is no comprehensive theory of the causes of international migration. According to neoclassical economic theory, migration is brought about by wage differentials between countries, which are themselves brought about by the varied endowments of labour relative to capital that characterize different countries. In practice, the relation between relative wages and international migration is complex, so that large wage differentials between countries do not by themselves trigger migration. Indeed, a striking feature of international migration is that it has a very low responsiveness to international wage differentials.

66. According to the "new economics of migration", migration is used by households to minimize risk and loosen constraints associated with market failures in the sending countries. Thus, by having some family members work abroad, households diversify their sources of income and minimize risks to their economic well-being. In addition, the remittances generated by migrants provide households with the capital needed to increase the productivity of assets in the community of origin. Thus, if development induces an increase in the return to local economic activities, it may also make migration more attractive as a means of overcoming capital constraints. In addition, households with lower incomes in a community may feel deprived in relation to better-off households and their relative deprivation may prompt them to participate in migration so as to increase their incomes. Hence, if the development process increases income differentials, it may lead to stronger migration pressures among relatively deprived households.

67. International migration is also influenced by the situation in countries of destination. The labour markets of developed countries are characterized by the coexistence of a capital-intensive primary sector and a labour-intensive secondary sector where jobs are unstable and wages low. This segmented labour market can result in a permanent demand for foreign workers, who are needed to fill the secondary-sector jobs that natives reject. Once international migration has begun, certain mechanisms maintain its momentum even after the factors responsible for initiating the flow have lost their relevance. Migration networks, characterized as the interpersonal ties based on kinship, friendship or shared community origin that connect migrants, former migrants, and non-migrants in areas of origin and destination, contribute to the sustaining of migration flows. Thus, the assistance provided to new migrants by friends and relatives already established abroad reduces the costs and risks of migration, and increases the probability of further movement.

A. The root causes of international migration

68. It has been contended that excessive population growth in developing countries produces large labour-force increases which cannot be absorbed and therefore result in migration to developed countries. However, the evidence available does not support the view that levels of emigration from developing to developed regions are related to regional population growth rates.

69. Environmental change is considered a root cause of migration when it acts via income effects (reduces average income), risk effects (increases the instability of average income) or social effects (makes the environment less pleasant or healthy). However, most of the resulting migration occurs within countries and is economically motivated, since persons leave their places of origin because of reduced or unstable incomes. At the international level, the portion of migration that has been directly or indirectly linked to environmental causes is small. In extreme cases, environmental change may remove the economic foundation of a community altogether and result in compulsory movements akin to those of refugees.

70. Poverty is another factor cited as a root cause of international migration. If poverty is measured in terms of a person's relative economic position in the society of origin, most international migrants are not poor, since they belong mostly in the middle range of the income scale of the country of origin. Even in the case of forced migration, extreme economic deprivation does not seem to generate sizeable numbers of asylum-seekers or refugees. Sustained economic deprivation is more likely to produce powerlessness than migration. Thus, countries where development has stagnated have not been the most common sources of economically motivated migration. Such migration has been more likely to occur in countries that have already reached a certain level of development and are advancing in the development path.

71. Good governance requires that human rights be respected. Violations of human rights are often symptomatic of deep-rooted political and social problems that are destabilizing and may lead to forced migration. However, the evidence available suggests that individuals are more likely to flee from situations that threaten their lives than from those that curtail their political and economic rights.

B. Trade, development assistance and migration

72. According to neoclassical economics, trade liberalization, by allowing countries to specialize in the production of goods for which they have a comparative advantage and to import the goods that they do not produce, will increase wages in labour-rich countries and thus discourage emigration. However, because the assumptions on which this assertion depends may not be satisfied in practice, the effect of trade liberalization on relative wages cannot be predicted with certainty. In reality, trade and international migration may be complements of, instead of substitutes for, one another. Thus, when households in countries of origin experience liquidity constraints, trade liberalization, by creating new employment in those countries, may provide the means of financing international migration and thus increase its likelihood.

Furthermore, when adjustment to trade reforms produces a rise in unemployment, migration pressures will likely increase. Depending on the assumptions made, models of particular economies reach different conclusions about the effects of trade liberalization.

73. In the case of Mexico and the United States, most analysts agree that the implementation of the North American Free Trade Agreement (NAFTA) may result in higher migration pressures in Mexico over the short-to-medium term because of the dislocation of labour in small-scale agriculture. However, if NAFTA helps to foster and maintain economic growth over at least a decade, the hope of betterment at home could reduce migration pressures.

74. Use of official development assistance to reduce migration pressures may not be effective because the level of aid required is usually very high and because piecemeal aid initiatives are unlikely to be successful.

C. Impact of international migration on countries of origin

75. International migration can affect the economic development of countries of origin in various ways. Its impact on unemployment is generally small because the number of migrants is usually low compared with the total labour force and those migrating need not have been economically active in the country of origin. Migration may also cause specific skill shortages that may hinder economic growth, especially when they involve highly skilled personnel. Yet, developing countries in need of technical expertise to fuel development have been drawing on foreign technical advisers as a short-term solution. Countries with stagnating economies are more likely to have trouble training and keeping their highly skilled personnel.

76. One of the major impacts of international migration on countries of origin is the generation of remittances, which are a major source of foreign exchange earnings for countries of origin. In 1989, remittances amounted to US$ 61 billion worldwide, a figure that compares favourably with the US$ 47 billion provided as official development assistance by the Organisation for Economic Cooperation and Development (OECD) member States to developing countries. Remittances can be used to import capital goods and the essential inputs required to promote investment and capacity utilization, thereby advancing economic development. Remittances deposited in local banks can provide capital to local entrepreneurs. However, remittances have been thought to foster dependency on imports and promote high levels of consumption that can result in inflationary pressures. The evidence validating these views remains weak and contradictory. Remittances are also viewed as unpredictable because demands for manpower can presumably have wide swings, although trends in remittances from 1960 to 1985 show no such sudden or rapid changes. At the microlevel, remittances can augment household income and savings, facilitate purchases of consumer durables and investment in productive assets, and alter the local income distribution. Ultimately, remittances are more likely to promote development in countries that have sufficient productive flexibility to respond positively to their stimulus.

77. Return migration can have a positive impact on development depending on whether the country of origin provides a propitious social and economic environment for the productive use of the skills and savings of return migrants. In most contexts, return migrants exhibit an inclination towards consumption rather than productive investment, and towards investment in trade or services rather than investment in industry. Return migrants often have trouble finding suitable employment and many prefer to establish their own small businesses. However, the businesses they set up tend to be small in scale and ineffective as job creation ventures, thus providing few stimuli for development.

D. The impact of international migration on countries of destination

78. When a country experiences labour shortages, the availability of foreign workers allows the productive use of capital that would otherwise remain idle, thereby enhancing economic growth. However, if unemployment is high, the effects of labour migration on economic growth have to be qualified. In some contexts, the effects of labour migration on output growth are meagre because the jobs occupied by foreign workers tend to have low productivity. Because of the diversity of empirical settings and the fact that assessments are based on assumptions that are not always satisfied in practice, there is no consensus on the impact of international migration on aggregate measures of economic performance in the countries of destination.

79. Another important issue has been the impact of migration on the wages of non-migrants. Although serious methodological problems hinder studies in this area, the evidence available shows that the relationship between non-migrant wages and level of international migration is weak, implying that migrant workers are not substitutes for non-migrants.

80. Lastly, concern about the possibility that immigrants become dependent on welfare has prompted a series of studies on whether immigrants pay their way. As several authors have noted, the conclusions of such studies are highly dependent on the assumptions made about the contribution to public revenue provided by immigrants and the costs that immigrants entail. Few firm conclusions can be drawn from the studies available because their findings are neither comparable nor comprehensive and do not provide reliable estimates of the net fiscal costs or benefits of immigration.

X. FINAL REMARKS

81. International migration and development are interrelated and the linkages are numerous and complex. These linkages, the size, type and direction of migration movements, and national policies are all a function of the political, economic and social contexts of the time. Although there is considerable policy interest in the root causes of international migration and the impacts on sending and receiving countries, in particular the social and economic consequences, understanding of the direction and magnitude of such effects is still in its infancy. As a result, running through all discussions of migration are three common threads: the lack of migration data, the absence of a coherent

theory to explain international migration and the very weak understanding of the complex interrelationships between migration and development.

Notes

[1] Report of the United Nations World Population Conference, 1974, Bucharest, 19-30 August 1974 (United Nations publication Sales No. E.75.XIII.3), chap. I.

[2] Report of the International Conference on Population, 1984, Mexico City, 6-14 August 1984 (United Nations publication, Sales No. E.84.XIII.8), chap. I, sect. B.

[3] See International Labour Conventions and Recommendations, 1919-1981 (Geneva, International Labour Office, 1982).

[4] United Nations, Treaty Series, vol. 189, No. 2545.

[5] Ibid., vol. 606, No. 8791.

[6] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[7] See Official Records of the Economic and Social Council, 1995, Supplement No. 7 (E/1995/27).

[8] Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[9] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (A/CONF.166/9), chap. I, resolution 1, annex II.

[10] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (A/CONF.177/20 and Add.1), chap. I, resolution 1, annex II.

[11] United Nations, Treaty Series, vol. 1001, No. 14691.

[12] Geneva, UNHCR, 1995.

UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/CN.9/1997/3
31 December 1996

ORIGINAL: ENGLISH

COMMISSION ON POPULATION AND DEVELOPMENT
Thirtieth session
24-28 February 1997
Item 4 of the provisional agenda*

FOLLOW-UP ACTIONS TO THE RECOMMENDATIONS OF THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT: INTERNATIONAL MIGRATION

Monitoring of population programmes

Report of the Secretary-General

SUMMARY

The present report has been prepared in accordance with the topic-oriented and prioritized multi-year work programme of the Commission on Population and Development, which was endorsed by the Economic and Social Council in its resolution 1995/55. The topic for 1997 is international migration, with special emphasis on the linkages between migration and development, and on gender issues and the family.

This report, which reflects the responses received from Representatives/Country Directors of the United Nations Population Fund (UNFPA) in 52 countries and the Permanent Missions to the United Nations of 10 developed countries, reviews progress with respect to policies, programmes and other activities in international migration that Governments undertook at the national level following the International Conference on Population and Development, held in Cairo in September 1994. It presents the strategies and approaches that countries adopted to respond to the recommendations of the Programme of Action of the International Conference on Population and

* E/CN.9/1997/1.

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Development concerning international migration. The report focuses on efforts to promote cooperation and dialogue between sending and receiving countries and on policies and programmes to facilitate family reunification, promote social and economic integration, facilitate short-term and project-related labour migration, assist refugees, protect migrants against discrimination, prevent international trafficking in migrants and monitor migration flows. The report also highlights concerns raised by Governments in matters pertaining to policy formulation and programme implementation in international migration.

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INTRODUCTION

1. The present report on the monitoring of population programmes has been prepared by the United Nations Population Fund (UNFPA) in accordance with the topic-oriented and prioritized multi-year work programme of the Commission on Population and Development. The topic for 1997 is international migration, with special emphasis on the linkages between migration and development, and on gender issues and the family.

2. This report reviews progress with respect to policies, programmes and other activities in international migration that Governments have undertaken at the national level since the International Conference on Population and Development. It highlights the challenges faced by countries in the implementation of the Programme of Action of the International Conference on Population and Development[1] in this field. It also provides an overview of selected conferences, expert group meetings, workshops and other cooperative efforts undertaken by the organizations of the United Nations system and its specialized agencies and by the international community at both regional and interregional levels to address international migration issues.

3. International migration has received considerable attention in recent years as the number of international migrants, including refugees, was estimated to have surpassed 125 million. Governments, policy makers, social scientists and the public are concerned with the perceived and real consequences of migratory flows on both the communities of origin and the communities of destination. Demographic, cultural, economic, environmental, political and social factors are all affected by, and in turn affect, international migration flows.

I. METHODOLOGY

4. Information on activities pertaining to international migration undertaken at the national level was gathered from a questionnaire sent to 107 UNFPA representatives and country directors in developing countries and countries with economies in transition. Questionnaires were also sent to the Permanent Missions to the United Nations of 26 developed countries. The questions addressed the following key issues covered in chapter X, entitled "International migration", of the Programme of Action of the International Conference on Population and Development: cooperation and dialogue between countries of origin and countries of destination; family reunification; social and economic integration of documented migrants having the right to long-term residence; protection of migrants against discrimination; temporary labour migration; refugee and returnee assistance and rehabilitation; undocumented migration; international trafficking in migrants; emigration of persons who seek employment abroad; establishment of a department to address immigration issues and policies; and collection of data on flows and stocks of international migrants and on factors causing migration.

5. The information on activities at the national level is based on responses received from 47 developing countries, 5 countries with economies in transition and 10 developed countries, for a total of 62 countries.[2] The table contained

in this report provides a breakdown according to the regions from which responses were received.

II. ACTIVITIES IN THE FIELD OF INTERNATIONAL MIGRATION UNDERTAKEN SINCE THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT AT THE NATIONAL LEVEL

6. The Programme of Action of the International Conference on Population and Development urges Governments to adopt sound international migration policies and programmes that "take into account the economic constraints of the receiving country, the impact of migration on the host society and its effects on countries of origin" (para. 10.1). In the same paragraph, it underscores the linkage between international migration and development, noting that international economic imbalances, poverty, environmental degradation, the absence of peace and security and human rights violations are important factors that affect international migration.

7. Several countries reported having formulated international migration policies, passing immigration legislation or modifying immigration policies or laws in direct response to the Programme of Action of the Conference. Some of them had established an overall migration policy. For example, Cambodia reported having signed a new Immigration Law since the Conference; Madagascar reported new legislation concerning immigration, investment in the country and the emigration of nationals; and the Russian Federation reported the approval in 1996 of the Law of the Russian Federation on Entrance and Exit Regulations.

8. Others had addressed such issues as protecting basic human rights and eliminating discrimination against migrants, particularly women; promoting integration; and refugee concerns. Several countries had been drafting or reviewing new immigration legislation. For example, Paraguay reported that the National Congress was reviewing a new Migration Law that would establish the country's migration policy and institutional framework for addressing migration issues. In Poland, Parliament was debating a new Aliens Law. The approaches that Governments adopted to respond to recommendations of the Programme of Action of the Conference are presented in subsections A through J below.

A. Cooperation and dialogue between countries of origin and countries of destination

9. Cooperation and dialogue between countries of origin and countries of destination were the most frequently reported activities related to international migration. Of the 62 countries responding to the inquiry, 36 reported having engaged in bilateral or multilateral negotiations on international migration (most concerning labour migration), 36 reported having exchanged information with other Governments and 6 reported having attended international conferences on migration (see table).

Number of countries responding to UNFPA inquiry[a] and type of interchange concerning migration issues, by region or group

Region or group	Total number of countries responding[a]	Engaged in bilateral or multilateral negotiations	Exchanged information with other Governments	Attended international migration conferences
Sub-Saharan Africa (including Eastern, Middle, Southern and Western Africa)	17	7	11	1
Northern Africa and Western Asia	4	3	3	1
Asia (including Eastern, South-eastern, South-central Asia)	13	5	6	4
Latin America and the Caribbean	11	10	7	[b]
Oceania	2	[b]	[b]	[b]
Countries with economies in transition	5	2	2	[b]
Developed countries	10	9	7	[b]
Total[c]	62	36	36	6

Source: UNFPA inquiry, 1996.

[a] Responses received as of 25 November 1996 from UNFPA Representatives/Country Directors in 52 countries and the Permanent Missions to the United Nations of 10 developed countries.

[b] No response.

[c] Responses add to more than the total number of countries responding because of multiple mentions.

10. In sub-Saharan Africa, Burundi, Mauritania, Mozambique, Namibia, the United Republic of Tanzania and Zimbabwe all reported having engaged in bilateral or multilateral discussions to address migration issues, especially labour migration and refugee concerns, with other countries in the region. South Africa reported having concluded agreements related to international migration policies with Botswana, Lesotho, Mozambique, Namibia and Zimbabwe and that it was in the process of concluding similar agreements with Malawi, the United Republic of Tanzania and Zambia. In addition, a number of African countries reported having exchanged information with other Governments regarding their international migration policies and regulations governing the admission and stay of migrants. Burundi, Cameroon, Kenya, Madagascar, Mauritania, Mozambique, Namibia, Togo, Uganda, the United Republic of Tanzania and Zimbabwe all reported

having exchanged information on international migration issues of concern, including labour migration, repatriation of refugees and the movement of peoples from one country to another.

11. In Northern Africa and Western Asia, Morocco, Jordan and Yemen reported having engaged in discussions on international migration; Jordan and Yemen had conducted negotiations regarding temporary labour migration. Morocco, Jordan and Yemen also reported having exchanged information with other Governments concerning policies governing the admission and stay of migrants.

12. In Asia, Bangladesh, Indonesia, Malaysia, Sri Lanka and Thailand all reported having engaged in bilateral or multilateral discussions on the issue of international migration. In Indonesia, Malaysia and Sri Lanka, the discussions had focused on labour migration. Cambodia, Indonesia, Malaysia and Viet Nam reported having exchanged information with other Governments regarding their policies on the admission and stay of migrants; Malaysia and Viet Nam reported that there had been exchanges concerning labour migration policy.

13. In Latin America, Bolivia, Brazil, Costa Rica, Cuba, El Salvador, Honduras, Mexico, Nicaragua, Paraguay and Uruguay reported having engaged in bilateral or multilateral discussions concerning international migration with countries in the region. In Bolivia and Brazil, the negotiations had focused on undocumented migrants; in Cuba, they had concerned the repatriation of undocumented migrants and the importation of foreign labour. In Mexico, the discussions had concerned undocumented migrants, trafficking in migrants and refugees. In Nicaragua, high-level government discussions with neighbouring countries had focused on the protection of the rights of Nicaraguan citizens. Some countries, notably Brazil and Uruguay, reported that they had participated in discussions on international migration within the framework of the Southern Cone Common Market (MERCOSUR). In addition, Bolivia, Brazil, Costa Rica, Cuba, El Salvador and Mexico reported having exchanged information with other countries, especially neighbouring States, regarding migration issues. Uruguay reported having exchanged information with migration organizations and with member States of MERCOSUR.

14. Among countries with economies in transition, the Republic of Moldova and the Russian Federation both reported having engaged in bilateral discussions regarding international migration policies and having exchanged information on policies. In the Republic of Moldova, discussions had focused on the migration of labour.

15. Of the 10 developed countries that responded to the inquiry, 9 reported having engaged in bilateral or multilateral negotiations and discussions on international migration, most within the framework of the international organizations of which they were members, including the European Union (EU), the Organization for Security and Cooperation in Europe (OSCE), the Intergovernmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia (IGC), the Budapest Group, the Council of Europe, the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and the Organisation for Economic Cooperation and Development (OECD). Austria, Germany, Liechtenstein, the Netherlands, New Zealand, Norway, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America all reported having

engaged in bilateral or multilateral discussions on the issue of international migration, addressing such vital concerns as international trafficking in migrants, the harmonization of visa and repatriation policies, refugee issues, the temporary migration of labour and the social integration of populations of migrant origin. The developed countries that responded to the inquiry also maintained contacts and exchanged information regarding migration policies with many Governments. Austria, Germany, Liechtenstein, the Netherlands, New Zealand, Norway and Spain all reported having exchanged information regarding their international migration policies with other Governments within the context of the EU, IOM, IGC, OECD and the Council of Europe.

16. Some countries, notably Kenya, Indonesia, the Islamic Republic of Iran, the Philippines, Turkey and Viet Nam, reported having participated in international migration conferences to discuss their concerns and to exchange information. The Philippine Government had hosted the United Nations Expert Group Meeting on Violence Against Migrant Women Workers, held in May 1996, to discuss the issue of international migration and to exchange information regarding policies and regulations.

B. Family reunification of documented migrants

17. The Programme of Action of the International Conference on Population and Development states that, "consistent with article 10 of the Convention on the Rights of the Child[3] and all other relevant universally recognized human rights instruments, all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its integration into their national legislation in order to ensure the protection of the unity of the families of documented migrants" (para. 10.12). Governments are further "urged to promote, through family reunion, the normalization of the family life of legal migrants who have the right to long-term residence" (para. 10.13).

18. Little activity was reported on policies regarding the admission of family members for reunification purposes, although some countries mentioned policies in place before the International Conference on Population and Development.

19. In its response to the inquiry, Cuba reported that the migration agreement signed with the United States, whereby 2,000 Cubans could be granted entry visas each year, addressed issues facilitating family reunification. Bulgaria reported that it gave only recognized refugees the right to family reunification; aliens did not usually enjoy this right. Morocco reported having entered into discussions to facilitate family reunification of documented migrants with Italy and Spain, important receiving countries for Moroccan emigrants. Namibia reported having promoted family reunification of people of Botswa of Namibian origin.

20. Liechtenstein reported that it was eliminating restrictions regarding family reunification for temporary labour migrants, with full respect for gender equity, following the entry into force in May 1995 of the Treaty on the European Economic Area. Norway reported that the Ministry of Justice was considering liberalizing elements of the current legislation on family reunification. The

United Kingdom and the United States reported that family reunification was one of the principles underlying their immigration legislation.

C. Social and economic integration of documented migrants having the right to long-term residence

21. The Programme of Action of the International Conference on Population and Development urges Governments "to ensure the social and economic integration of documented migrants, especially of those who have the right to long-term residence in the country of destination", by extending to them treatment equal to that enjoyed by their own nationals and, as appropriate, to facilitate their naturalization (paras. 10.10-10.12).

22. Few countries reported having implemented special programmes or activities since the International Conference on Population and Development to promote the social and economic integration of documented migrants and their families. Costa Rica reported that the 1994-1998 National Development Plan, drafted following the International Conference on Population and Development, included the promotion of policies to address migration and integration issues. Jordan reported having passed Labour Law, No. 8/1996, which seeks to promote the social and economic integration of documented migrants. South Africa reported having invited nationals of Southern African Development Community (SADC) member States who had been living in the country for five years or longer to apply for permanent residence, regardless of their legal status. Yemen reported having integrated migrants from Africa.

23. Fewer than half the countries responding to the inquiry reported recent changes in policies or special measures implemented to facilitate the naturalization of documented migrants. Cambodia reported that a nationality law was under review in the National Assembly. Indonesia had recently formulated a policy to simplify naturalization procedures and cut fees to a minimum. Namibia had facilitated the process of acquiring citizenship by improving facilities where citizenship papers were issued. South Africa had exempted long-term migrants from permit control, which was stipulated in the Alien Control Act. Migrants residing in the country for a period of five years might apply for citizenship. In the United Republic of Tanzania, the term of residence required before naturalization had recently been shortened from 10 to 5 years.

24. Among the developed countries that responded to the inquiry, eight reported having undertaken activities to facilitate the integration of migrants. Germany's forthcoming sixth Family Report would be devoted entirely to the situation of families of foreign origin residing in Germany. The German Government was planning comprehensive reform of its nationality law and intended to submit a draft bill soon. Liechtenstein's accession to the Treaty on the European Economic Area in 1995 had led to an expansion of the right to long-term residence for citizens of European Economic Area (EEA) countries. The Netherlands had passed the National Assistance Act (1996), which obliged international migrants receiving social assistance benefits to participate in social integration programmes. In New Zealand, changes had been made in the selection criteria of "targeted" migration categories (general skills and business investor) designed to assist the migrants concerned in settling

successfully. In Norway, the issue of social and economic integration was expected to be addressed in a White Paper to be submitted to Parliament in February 1997. Spain had modified regulations concerning the type and duration of work and residence permits as well as requirements for obtaining permanent residency, which foreigners could acquire after six years of legal residence in the country. The concerns of women migrants had also been addressed, regardless of their legal and marital status. The United Kingdom had introduced many initiatives for addressing racial disadvantages, including programmes to regenerate the economy in inner cities. To facilitate the social and economic integration of documented migrants, the United Kingdom had, in 1996, reduced the fees charged for naturalization. The United States reported having initiated a Citizenship-USA project in 1996 to reduce naturalization processing time, which had been approaching two years in some cities, and the length of the review process.

D. Protection of migrants against discrimination

25. Few countries reported having passed specific anti-discrimination laws since the International Conference on Population and Development. Some countries reported that existing national regulations protected migrants against discrimination, others reported that migrants had the same access to facilities and employment as the native population or received treatment equal to that of nationals, and still others reported that their constitution forbade all forms of discrimination.

26. However, some countries reported having taken action to lessen possible discrimination, and others were in the process of formulating policies to eliminate discrimination against migrants. For example, in Africa, Guinea-Bissau and Mozambique reported having formulated policies to eliminate discriminatory practices against migrants and refugees and to ensure protection against racism, ethnocentrism, religious intolerance, xenophobia and gender discrimination. Namibia had adopted the Married Persons Equality Act in 1996 to protect women migrants against gender discrimination and was pursuing other initiatives related to gender equity, equality and empowerment, including the establishment of a Department of Women's Affairs to address women's issues. Togo reported that a paralegal programme implemented by non-governmental organizations had been attempting to eliminate sexual discrimination. Zimbabwe had recently passed an amendment to the country's Constitution making immigration regulations with respect to applicants the same for both sexes.

27. In Western Asia, Jordan reported that Jordanian Labour Law, No. 8/1996, protected the basic human rights of legal migrants, including foreign workers and refugees, particularly women, children and the elderly, and protected them against racism, ethnocentrism and religious intolerance as well.

28. In Asia, Indonesia had recently formulated a policy to eliminate discrimination against Chinese migrants and their children. After the Fourth World Conference on Women in 1995 and the considerable publicity on gender and women's empowerment, the Government of Maldives had reviewed existing laws to identify any gender discrimination that might exist. In Nepal, the Government had established the Ministry of Women and Social Welfare in response to the

International Conference on Population and Development and the Fourth World Conference on Women; it had also formed a task force of legal experts to recommend appropriate changes in existing laws that discriminated against women. The Philippine Department of Labour and Employment (DOLE) had implemented the DOLE Employment Overseas Programme in 1995 and enacted the Migrant Workers and Overseas Filipinos Act of 1995. To prevent discrimination in the workplace, in 1996, Thailand had implemented a regulation stating that employers must provide foreign workers with the same working conditions as those described in the country's Labour Law.

29. In Latin America, Costa Rica had been implementing a Gender Equity Policy drafted in 1990 and a more recent policy drafted in 1995 regarding domestic violence against women. New laws covered all women who were victims of discrimination or violence, including nationals, international migrants and refugees. Mexico reported that, in 1996, the Mexican Immigrant Peasants Union had been established to address the social, economic and political inequalities affecting the more than 5 million Mexican workers in the United States. Uruguay reported non-governmental organization initiatives in this area in the wake of sporadic outbreaks of xenophobia and racism.

30. Among countries with economies in transition that had responded to the inquiry, Bulgaria reported that refugees and asylum-seekers were protected by Ordinance No. 208 (1994) for Granting and Regulating the Refugee Status by the Council of Ministers. The Ministry of the Interior had been taking extra measures to suppress xenophobia and violence by racist groups, and the Ministry of Education was implementing educational programmes on this topic. In Poland, a new employment law, which provided recognized refugees with access to legal employment, had been promulgated in 1995.

31. Among developed countries that had responded to the inquiry, Germany reported that the Government had been publicly discussing the problem of discrimination. Japan reported that the human rights division of the Ministry of Justice had been undertaking public information and education activities to promote the idea of human rights among the population. Norway reported that the Department of Immigrant and Refugee Affairs would formulate a plan of action to update policy in this area, including the development of better instruments to measure discrimination, violence and harassment. The Spanish Government had implemented activities to discourage racism and xenophobia and to promote intercultural tolerance and harmony. In the United Kingdom, the Government had introduced two new offences into the Criminal Justice and Public Order Act, 1994: intentional harassment and the publication and distribution of material likely to incite racial hatred. The British Judicial Studies Board had recently established an Ethnic Minorities Advisory Committee to design relevant training programmes for judges and materials on issues pertaining to race. The United States reported that a provision of the 1994 Violent Crime Control Act allowed abused alien spouses and children of United States citizens or lawful permanent residents to "self-petition" to become legal permanent United States residents. The Immigration and Naturalization Service had issued formal guidelines to assist officers in evaluating gender-based claims of asylum, identify procedural difficulties that women who had suffered gender-related violence might face in presenting their cases and offer solutions with respect to addressing women's special needs.

E. Temporary labour migration

32. Of the 62 countries that had responded to the inquiry, 7 countries reported having formulated new policies or legislation and 27 reported having engaged in bilateral or multilateral negotiations regarding labour migration.

33. In sub-Saharan Africa, Kenya's National Employment Bureau of the Ministry of Labour and Manpower Development had been involved in a project known as the "Return of Talent Programme" with IOM. Concerned with the legal and social status of migrant workers, Madagascar had conducted negotiations with Mauritius on the possibility of establishing an agreement concerning the working conditions of Madagascar nationals in Mauritius. Legislation adopted in August 1996 guaranteed the security of capital and investments, the freedom of transferring capital, respect for individual and collective property rights and equality of treatment of investors in the country. Mozambique had entered into bilateral negotiations with South Africa regarding temporary labour migrants and had recently conducted negotiations with Gibraltar and the Persian Gulf countries to safeguard the wages and working conditions of migrant workers. Namibia had signed a bilateral agreement with China to promote investment business involving temporary immigration of Chinese business people and their families to Namibia. South Africa had entered into bilateral agreements with other Governments related to temporary labour migration of mineworkers. The United Republic of Tanzania had signed bilateral and multilateral agreements with countries that accepted Tanzanians for project-related employment. Uganda and Zimbabwe had both reported conducting negotiations regarding temporary labour migration.

34. In Northern Africa and Western Asia, Morocco had engaged in negotiations with the countries of the EU. Jordan reported that Labour Law, No. 8/1996, had protected all legal rights of migrants, including the wages and working conditions of migrant workers. Yemen had participated in negotiations with other countries regarding temporary labour migration.

35. In Asia, Bangladesh, which aimed at increasing its manpower employment opportunities abroad and at curbing unemployment and underemployment at home, had entered into bilateral negotiations with the Russian Federation regarding temporary labour migration. Cambodia had established an agreement with IOM to assist in emigration applications. Indonesia had entered into bilateral negotiations with Malaysia and Saudi Arabia, two major recipients of Indonesian workers. In Maldives, the critical need for skilled manpower was being addressed in the short term by a relaxed policy regarding the importation of expatriate labour. Malaysia had been addressing the issue of immigration of foreign workers at both bilateral and multilateral levels. Regulations in 1995 and 1996 had enabled undocumented labour migrants who registered with the authorities to apply for temporary work permits. Since the International Conference on Population and Development, the Malaysian Government had passed the Workers Safety and Health Act of 1995 to address the working conditions of both migrant and native workers. The Philippines had signed a Memorandum of Agreement with Jordan, Iraq and Qatar and was reviewing similar agreements with several other countries. Sri Lanka and Thailand had both been conducting bilateral negotiations concerning temporary labour migration. Thailand had appointed a special committee to consider the issue of foreign workers.

Viet Nam reported having negotiated agreements on labour migration with a number of countries since the International Conference on Population and Development. In addition, concerned organizations in Viet Nam, Japan and the Republic of Korea had conducted discussions and negotiations on issues relating to the sending and receiving of Vietnamese migrant workers.

36. In Latin America and the Caribbean, Bolivia reported having entered into negotiations, through the bilateral commissions and the subregional integration institutions, with Argentina, Brazil, Chile, Paraguay and Peru to arrange "import-export corridors" and "free trade" areas which would, in certain cases, eliminate the need for passports. Short-term and project-related migration agreements had been undertaken to establish a bi-national city at the border between Bolivia and Paraguay, to secure common rules for transport through the Bolivian-Chilean border, to extend the deadlines given to Bolivian migrants to regularize their status and to arrange for the repatriation of Peruvians engaged in trafficking in migrants. Costa Rica had initiated a short-term labour migration card to facilitate a temporary migration agreement concerning Nicaraguan labour migrants who were engaged predominantly in construction and agriculture. Cuba reported having held bilateral negotiations with other Governments to discuss the migration of workers and experts in select fields, especially physicians and health technicians. Uruguay reported having conducted multilateral negotiations on labour migration within the framework of MERCOSUR.

37. Among countries with economies in transition, Albania had signed an agreement with Germany for job-training employment of 18 months and an agreement with Greece for seasonal employment. It was negotiating with the Italian Government with respect to signing an agreement for seasonal employment. Bulgaria had signed agreements concerning temporary labour migration with several countries to enable a limited number of qualified workers to obtain temporary employment in these countries. The Republic of Moldova hoped to conclude bilateral agreements with Western and Central European countries regarding the regulation of labour migration from the Republic of Moldova to these countries. The Russian Federation, which had conducted bilateral and multilateral negotiations on temporary labour migration, was completing a complex Programme of New Jobs Creation for 1996-2000, which sought to safeguard the wages and working conditions of both migrant and native workers. The Government had been responsible for elaborating the Common Labour Market and Labour Migration Regulations for the countries in the Commonwealth of Independent States (CIS).

38. Several developed countries reported having conducted negotiations or having formulated new policies regarding temporary labour migration. Germany had concluded agreements governing work contracts with a number of countries in Eastern Europe. New Zealand had made bilateral agreements concerning working holidays with Canada, Ireland, Japan, Malaysia and the United Kingdom. It had recently established a visa-free arrangement for short-term visitors with the Czech Republic and South Africa. Norway reported having entered into bilateral agreements with several countries regarding the temporary training of foreign nationals and Spain had approved a resolution on the admission of temporary labourers from developing countries. The United Kingdom reported having ratified the General Agreement on Trade in Services (GATS),[4] which includes provision for the movement of naturalized persons. In December 1996, employment

rights, which protect workers from being unfairly dismissed or discriminated against on grounds of race or sex, had been extended so as to make it unlawful for an employer with 20 or more employees to treat an individual less favourably than other persons because of disability. The United States reported that, besides the terms of the North American Free Trade Agreement (NAFTA) and the General Agreement on Trade in Services, immigration legislation provided for the temporary admission of workers in various categories, such as those in specialty occupations that required a baccalaureate degree, agricultural workers and persons with extraordinary ability in the arts, sciences, education, business or athletics.

39. Seven developing countries - Cuba, Indonesia, Nepal, Pakistan, Sri Lanka, Thailand and Togo - reported having facilitated emigration by providing services for persons who sought employment abroad. In 1995, Indonesia had established a special agency to coordinate and improve the operation of approximately 300 overseas employment services in the country. In Pakistan, the Ministry of Labour and Manpower had established an Overseas Employment Corporation to facilitate the emigration of nationals of Pakistan who sought employment abroad. Togo reported that the Ministry of Labour was formulating a policy to address the presence of many unemployed graduates in the job market.

40. Some countries had had a well-established system for facilitating the emigration of those who had sought employment abroad before the International Conference on Population and Development. In June 1995, the Philippine Government, which had long facilitated the emigration of Filipinos who sought employment abroad, enacted the Magna Carta for Overseas Workers, which stipulates that the Government "does not promote overseas employment as a means to sustain economic growth and achieve national development".

F. Refugee and returnee assistance and rehabilitation

41. The large number of refugees and asylum-seekers in the world today have placed considerable strain on the institution of asylum in industrialized countries. Many countries are concerned with the increasing number of persons who abuse the asylum system by claiming that they are refugees when, in reality, they are economic migrants attempting to circumvent immigration restrictions.

42. Many countries had formulated refugee policies, had had programmes in place to assist refugees and had passed refugee legislation before the International Conference on Population and Development. Many others, however, had relied on UNHCR and the international community for assistance and on national and international non-governmental organizations. Four countries reported having drafted new refugee legislation to address refugee concerns. One country had recently adopted a strict non-readmission policy with regard to persons whose asylum claims had been rejected and one country had issued a decree defining refugees.

43. In sub-Saharan Africa, Burundi had promoted a policy of refugee repatriation and resettlement, with assistance organized as a function of the different types of refugees (women, children, and so on). Kenya was drafting a refugee bill to address such issues as basic human rights and protection against

all forms of discrimination. The Kenyan Constitution and the Kenya Citizenship Act provided for women who were recognized refugees and were married to Kenyan citizens to be registered as citizens of Kenya. To address the special concerns of women refugees, the Kenyan Government, donor agencies and UNHCR had established a special fund administered by CARE International to provide medical assistance, maternal counselling and development skills to women refugees. A Social Services Department had been established at the camp level to address women's and children's concerns, including educating of women in such topics as child-spacing and good nutritional practices. To protect refugees, especially women and children, the Government had established police posts and a police station at refugee camps. With assistance from non-governmental organizations, the Government had established special child-care and educational centres in the camps. The Government had also initiated an Individual Household Feeding Programme and had been providing supplementary wood fuel to reduce the long distances that women and children must cover to obtain wood, thus minimizing the incidence of rape and violence.

44. In October 1994, Madagascar issued Decree 04-642, which states that refugees are foreigners who for political or other reasons are admitted as such on the territory of the Republic of Madagascar by the decision of the Ministry of the Interior. In Mauritania, the Special Programme of Rapid Integration, in cooperation with UNHCR and both national and international non-governmental organizations, had assisted Mauritanians returning from Senegal. Activities had also been conducted in collaboration with the United Nations High Commissioner for Refugees and several non-governmental organizations to assist refugees from Mali. In Namibia, resettlement programmes administered by the Ministry of Lands, Resettlement and Rehabilitation had been operating with renewed vigour since the International Conference on Population and Development. The Government had supported the peaceful repatriation and rehabilitation into society of Namibian citizens who had gone into exile during the pre-independence years. Togo reported the existence of local activities that had provided assistance to refugees from Ghana fleeing tribal wars. In the past few years, Uganda had encouraged the repatriation of its nationals who were in exile and made provisions to resettle them. Zimbabwe reported having been resolving its refugee problem through regularization and voluntary repatriation.

45. In Western Asia, Yemen reported efforts to integrate refugees from Africa, especially those from Somalia.

46. In Asia, Bangladesh reported that it had been repatriating the remaining refugees from Myanmar who had been found in camps near the Bangladesh-Myanmar border. Cambodia had signed readmission agreements with Indonesia and Malaysia regarding the acceptance of returnees. Together with UNHCR, Indonesia had repatriated all Vietnamese refugees in 1995. The Islamic Republic of Iran had recently adopted a strict non-readmission policy with regard to asylum-seekers whose claims had been rejected. This policy had also been strictly applied to documented refugees who had left the Islamic Republic of Iran illegally, seeking resettlement in a third country. In Myanmar, a working group chaired by UNHCR had been organized to coordinate development assistance for returnees of Rakhine State. In Nepal, the Home Ministry was coordinating donor support to Bhutanese refugees. In the Philippines, there had been an ongoing Repatriation Programme for Vietnamese boat people at the Puerta Princesa camp in Palawan.

47. In Latin America, Bolivia reported that IOM had assisted in transporting Cuban refugees from Guantánamo and that the Specialized Services and Study Centre for Migrations had assisted in their resettlement. El Salvador had launched a comprehensive programme for the assistance, rehabilitation and adjustment of refugees returning after the conclusion of the International Conference on Central American Refugees 1989-1990/1995 (CIREFCA). Mexico had implemented the Plan for the Migratory Stabilization of Refugees, which offered immigrant status to the families of refugees in Campeche and Quintana Roo. In Nicaragua, rural development programmes had been established to provide rural credit extension, housing and educational and health facilities to promote local settlements in the zones most heavily affected by out-migration in the 1980s. Uruguay had reported that a new refugee law was being formulated at the request of the Ministry of the Interior.

48. Among developed countries, Austria reported having supported a programme for the repatriation and reintegration of women refugees in Mozambique. Germany reported having signed repatriation agreements with Algeria, the Czech Republic, Pakistan, Viet Nam and Yugoslavia. Other countries being considered were India, Sri Lanka, the Russian Federation, Ukraine and African countries. The German Federal Ministry of the Interior was financing three vocational training projects in Bulgaria, Romania and Poland - the main centres of East-West migration. The Government had been granting interim financial aid to persons returning to certain countries.

49. Liechtenstein had drafted a new refugee law which was under debate in Parliament. Both Liechtenstein and Norway had been facilitating the repatriation of refugees who wished to return to Bosnia and Herzegovina. The Netherlands reported the establishment of a readmission agreement in 1995 between Belgium, Luxembourg and the Netherlands (BENELUX) and Romania. Norway's Ministry of Children and Family Affairs had presented a Plan of Action for Minority and Refugee Children and Youth in January 1996 containing more than 65 measures to achieve equality for children and youth with a minority background. In June 1995, the United States had announced the Bosnian Women's Initiative, matched by a $5 million contribution to UNHCR, which was expected to result in better integration of Bosnian women back into their society and economy. The United States had also funded a special effort in the Great Lakes Region of Africa in 1994 and 1995 so as to reunite more than 40,000 unaccompanied refugee children with their families.

G. Undocumented migration

50. Nineteen countries reported having undertaken activities to address the problem of undocumented migration, including formulating new policies, engaging in negotiations with other Governments and signing readmission agreements.

51. In sub-Saharan Africa, Guinea-Bissau reported that it had entered into negotiations regarding readmission agreements that protected the basic human rights of undocumented migrants and persons whose asylum claims had been rejected. Mozambique had been negotiating such an agreement with South Africa. The United Republic of Tanzania had been attempting to harmonize policies

regarding undocumented migrants from neighbouring countries. Zimbabwe reported having been regularizing the status of its undocumented migrants.

52. In Northern Africa and Western Asia, Morocco had entered into negotiations with countries of the EU concerning the human rights of undocumented migrants. Yemen reported having signed readmission agreements that protected the basic human rights of undocumented migrants and persons whose asylum claims had been rejected.

53. In Asia, Cambodia had been engaged in negotiations with Thailand regarding undocumented labour migrants and with Viet Nam regarding the undocumented immigration of Vietnamese nationals. Indonesia had been working closely with Malaysia to address the issue of returning undocumented migrant workers from Malaysia. The Philippines had requested the Governments of Greece, Italy and the United Arab Emirates to protect the basic human rights of undocumented migrants. Thailand's National Security Council had introduced several measures to address the growing problem of undocumented migrant workers, especially along the Thai-Myanmar border, including establishing regulations that permitted the hiring of undocumented migrant workers while they were waiting to be repatriated. In July 1996, the Government had established new short-term measures to control the flow of unskilled, undocumented migrant workers; a Cabinet resolution that permitted hitherto undocumented foreign migrant workers to be legally employed in Thailand had taken effect in September 1996.

54. In Latin America, Costa Rica reported that readmission procedures protecting basic human rights of undocumented migrants had not been explicitly agreed upon but had been put into practice because of the persistent recurrence of undocumented migrants from Nicaragua. In 1995, Mexico had signed an agreement with the United States for a pilot programme known as Tierra Adentro, to repatriate undocumented migrants; Mexico and the United States had also established the International Coordination of Border Rights to protect undocumented workers. Paraguay had been engaged in discussions with Argentina, requesting more extensive provisions whereby undocumented Paraguayans in Argentina could regularize their situation.

55. Among countries with economies in transition, Bulgaria and Poland had both signed readmission agreements with many European countries regarding the return of nationals of contracting States and/or of third-country nationals who had entered illegally.

56. Among developed countries, Norway reported having entered into bilateral negotiations with Estonia concerning readmission agreements. Spain had signed agreements with several European countries concerning the readmission of undocumented migrants. The United States Immigration and Naturalization Service was operating a pilot programme with more than 500 employers to verify that newly hired persons had been authorized to work in the United States. The United States reported that it had a reciprocal agreement with Canada regarding the exchange of deportees.

H. International trafficking in migrants

57. A number of countries reported that international trafficking in migrants had not been a perceptible problem. Eleven countries reported having engaged in activities since the International Conference on Population and Development to prevent this growing problem.

58. In Asia, Cambodia had requested IOM to assist in the prevention of trafficking in migrants. Indonesia had responded to the prostitution-related trafficking in migrants with stricter controls at the port of departure. In Nepal, the non-governmental organization sector had been active in programmes to prevent trafficking in girls. Thailand's Labour Law restricted the employment of foreign workers to selected areas of the country, to selected businesses and selected positions, and prohibited foreign workers from engaging in prostitution.

59. Bulgaria had been especially concerned with the trafficking in Bulgarian-born children of Turkish parents who had emigrated to Turkey. Border troops had been intercepting attempts to engage in trafficking in humans.

60. In Latin America, the Brazilian press had raised awareness of several cases of trafficking in Brazilian nationals, and the Government had prosecuted cases involving illegal activities. Mexico reported that its President had been planning to propose reforms in the General Population Law so as to prevent trafficking in migrants. Uruguay reported that high-level policy meetings with MERCOSUR, Interpol, the Ministry of Justice and migration authorities had been conducted to address the issue of the movement of people between borders.

61. Among developed countries, Germany reported that it planned to create a database of suspected "business caterers" (operators of bars and restaurants) to supplement measures to prevent trafficking in migrants. Liechtenstein had participated in the European Steering Committee on Migration and the activities of the Budapest Group which addressed, inter alia, international trafficking in migrants. The United States Department of State had, inter alia, implemented bilateral and regional diplomatic initiatives to increase awareness of the migrant trafficking problem and urged major source and transit countries to enact laws against alien smuggling. In 1995, the United States Department of Labor had hosted a symposium, entitled "Forced Labor: The Prostitution of Children" and funded an International Labour Organization (ILO) project in Thailand to prevent young women from entering into prostitution.

I. Government departments to address immigration issues and policies

62. Information received from the inquiries indicated that most countries had had departments or bureaux in place to address international migration issues before the International Conference on Population and Development. Other countries reported renewed activity in this area, including the establishment of a special committee or task force to address specific migration issues.

63. In sub-Saharan Africa, Madagascar reported the establishment, in 1995, of an ad hoc committee to discuss refugee concerns with UNHCR staff. In Mozambique, a Study Committee at the Ministry of Labour had been established to analyse international migration and to formulate immigration policy; the Department of Migratory Labour was responsible for the regulation and monitoring of labour migration to South Africa.

64. In Northern Africa, Morocco had established an Under-Secretariat within the Ministry of Foreign Affairs and Cooperation responsible for the implementation of government policy concerning Moroccans residing abroad.

65. In Asia, the Cambodian Foreigners and Immigrants Department at the Ministry of the Interior had been strengthened as a result of the arrival of a new department chief and the signing of a new immigration law. To address the concerns of the growing number of overseas workers, the Indonesian Ministry of Labour had established a special "semi-government" agency to coordinate approximately 300 overseas employment services. Malaysia had established a special Task Force for Foreign Workers to monitor, regulate and register the importation of foreign labour.

66. In Latin America, Bolivia reported that government officials from various ministries had attended a training course organized by IOM in July 1996 to discuss policies regarding the promotion, regularization, repatriation and integration of migrants. In Costa Rica, the National Migration Council would be responsible for drafting, in coordination with IOM, a migration policy by 1997.

67. Among developed countries, Liechtenstein had established, in 1996, the post of coordinator of all activities designed to assist refugees, facilitate their integration and prepare for their return to their home countries.

J. Collection of data on flows and stocks of international migrants

68. The Programme of Action of the International Conference on Population and Development urges Governments to support the gathering of data on flows and stocks of international migrants and on factors causing migration as well as the monitoring of international migration. To better address the concerns of women migrants, it is important for migration statistics to be disaggregated by gender. Twenty-eight countries responding to the inquiry reported having engaged in various activities designed to initiate or strengthen the collection of data on migration since the Conference. In addition, the UNFPA office in Fiji reported that several Governments in the South Pacific had been especially concerned with monitoring migration flows, given the impact of migration on population growth and distribution; several countries had been considering the establishment of a system for recording arrivals and departures.

69. In sub-Saharan Africa, Burundi reported that, in 1996, the country's air, border and foreigners' police had been invited to a national seminar on data collection, where they indicated their readiness to make all information on migration available to researchers. Mauritania had completed a National Survey of Migration in 1994. Namibia had designed a programme to improve the

collection, processing and analysis of international migration records. In South Africa, several universities and research institutions had engaged in research on migration, and the Department of Home Affairs had undertaken a joint research project with two research institutions focusing on international migration in the Southern African region.

70. In Northern Africa and Western Asia, Morocco reported that international migration research activities had been strengthened after the International Conference on Population and Development. The country's new Under-Secretariat in charge of the Moroccan community residing abroad had monitored migratory flows of Moroccans and promoted migration research. The Moroccan Centre for Demographic Research and Training (CERED) had organized a seminar on the impact of migration on the development of sending countries and on the legal instruments underlying migration policies. In Turkey, the State Institute of Statistics had submitted a project proposal to UNFPA to develop the Institute's data analysis capacity and to establish a database for international migration in Turkey. Yemen also reported having strengthened data-collection efforts in international migration.

71. In Asia, Bangladesh's data-collection and research activities in international migration had been strengthened after the International Conference on Population and Development by the Bureau of Manpower Employment and Training. Cambodia had collected data on tourists and business persons who had entered the country via the international airport. In Indonesia, researchers at the Indonesian Institute of Science had recently initiated an analysis of the factors affecting international migration. In Malaysia, a special task force had been established to register undocumented labour migrants. The Ministry of Population and Environment in Nepal had commissioned a baseline survey on migration which had been carried out by the Central Department of Population Studies at Tribhuvan University. The Ministry had also formed a task force on international migration to identify data gaps and research areas. The Philippines Commission on Filipinos Overseas of the Department of Foreign Affairs had been developing an information system for the collection of data on Philippine migrant stocks and flows. Sri Lanka reported that several non-governmental organizations had been engaged in migration research, notably the Centre for Women's Research (CENWOR), which conducted research on migrant and displaced women. Among several ongoing research activities in international migration in Thailand was a UNFPA-funded project, entitled "A Policy Study on the Management of Undocumented Migrant Workers in Thailand", which also entailed data collection.

72. In Latin America, Bolivia reported having held a training course in 1996 to help migration authorities improve controls of arrivals and departures, in cooperation with IOM and the Latin American Programme of Cooperation in Migration (PLACMI). In Brazil, data-collection efforts on stocks and flows of migrants as well as on factors causing migration had been strengthened as a result of a UNFPA-supported project that had organized several conferences to consider data availability and to debate policy options. Cuba had strengthened its data-collection efforts to monitor the flows and stocks of international migrants. In Honduras, the General Directorate of Population and Migration Policy had been planning to initiate a programme to ascertain the number of Hondurans who resided abroad and provide an information link between

international migrants and their families. Mexico had been monitoring international migration by means of a continuous Survey on Migration in the North Border. Nicaragua's General Population Census in 1995 (the first census of its kind since 1965) had contained questions concerning international migration. Uruguay reported that migration had been included in the activities of the Institute of National Statistics, which had been responsible for the national census in 1996. A programme on population at the Faculty of Social Sciences at the State university had been monitoring migration trends and conducting border-zone surveys.

73. Among countries with economies in transition, Bulgaria reported that several institutions had been engaged in gathering data on asylum-seekers, including the National Bureau for Territorial Asylum and Refugees, the Bulgarian Red Cross and the Bulgarian Helsinki Committee. The Migration Department of the Republic of Moldova had requested technical assistance to strengthen data-collection and migration-related research activities.

74. Among developed countries, Germany reported that ministries involved in combating the causes of refugee flight in countries of origin had been attempting to exchange migration data. Liechtenstein had adapted its data-collection system to meet the requirements established under the Treaty on the European Economic Area. Norway reported that several data-collection and related research activities on migration had been initiated since the International Conference on Population and Development, including the research programme on International Migration and Ethnic Relations (IMER). Spain reported that the Inter-Ministerial Commission on Foreigners published an annual statistical report on the foreign population residing in Spain, including students, refugees and asylum-seekers, naturalized citizens and foreign workers. The New Zealand Immigration Service was developing an information system, to be implemented in early 1997, to improve the recording of migrant flows. The United Kingdom reported that it provided statistics and advice to the joint Economic Commission for Europe (ECE)/Statistical Office of the European Communities (Eurostat) Working Group on Migration Statistics. The country had also been continuing to support the work of the OECD Working Party on Migration. The United States reported that, in recent years, the Immigration and Naturalization Service had supported more research on migration and expanded its programme of statistical publications.

III. ACTIVITIES IN THE FIELD OF INTERNATIONAL MIGRATION UNDERTAKEN SINCE THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT AT THE REGIONAL LEVEL

A. Regional conferences

75. In addition to research conducted by the regional commissions, the major regional activities in the field of international migration were conferences and expert group meetings. Since the International Conference on Population and Development, regional conferences had addressed various migration issues, including refugee concerns and trafficking in migrants. A series of expert group, technical and subregional meetings had been held in preparation for many of these conferences.

76. Among the important conferences were the Regional Conference on International Migration in Northern and Central America, held in Puebla, Mexico, in March 1996; the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva, in May 1996; and the Mediterranean Conference on Population, Migration and Development, held in Palma de Mallorca, Spain, in October 1996. The Ministerial Session of the Southern African Ministers' Conference on Population and Development, held in Pretoria, South Africa, in October 1996, had stressed the need for regional cooperation to address priority concerns, including migration between countries in the region.

B. Other activities

77. In Africa, a Draft Protocol on the Free Movement of Persons in the Southern African Development Community (SADC) was signed by member States in June 1995. The main objective of the Protocol is to confer, protect and promote the right of every citizen of a member State to enter freely and without a visa the territory of another member State for a short visit, the right to reside in the territory of another member State and the right to establish oneself and work in the territory of another member State. Discussions on the free movement of SADC nationals and on a common passport were in the final stages at the time of the inquiry.

78. The countries of Central America announced their intention of moving towards greater cooperation and integration in political, economic and social spheres. With the support of IOM, in December 1994, these countries had formed a regional Central American Migration Programme (PROCAM) to draft policies, promote legislation and create a migration information system. A new migration code for the subregion was under review.

79. Among the regional groups that have been founded since the International Conference on Population and Development is the intergovernmental consultative group established by the United States and nine other countries of Northern and Central America, in March 1996, to discuss issues pertaining to international migration, including adopting a long-term approach to regional migration.

IV. ACTIVITIES IN THE FIELD OF INTERNATIONAL MIGRATION UNDERTAKEN SINCE THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT BY THE UNITED NATIONS SYSTEM AND THE INTERNATIONAL COMMUNITY

A. The United Nations system and international organizations

80. In the course of their regular work, various bodies of the United Nations system - United Nations departments, regional commissions, specialized agencies, funds and programmes - address diverse aspects of international migration. Some, such as UNHCR, concern themselves exclusively with migration issues. Others, such as ILO, address migration issues as part of a broader mandate. The Population Division of the Department for Economic and Social Information and

Policy Analysis of the United Nations Secretariat (DESIPA) conducts studies on the levels and trends of international migration, international migration policies and the interrelationship between international migration and development. The United Nations Statistics Division (of the Department for Economic and Social Information and Policy Analysis of the United Nations Secretariat) is responsible for setting the standards for the collection and dissemination of statistics on international migration. The Macroeconomic and Social Policy Analysis Division of the Department for Economic and Social Information and Policy Analysis of the United Nations Secretariat conducts studies on the social aspects of international migration. The regional commissions also address international migration issues by monitoring migration trends; conducting surveys; carrying out research; and organizing conferences, meetings and seminars on migration topics. In 1996, the Working Group on International Migration, one of six working groups of the Inter-Agency Task Force for the Implementation of the Programme of Action of the International Conference on Population and Development, announced plans for a Technical Symposium on International Migration in 1998. The Symposium would examine the scope and impact of government policies on migration flows and stocks, and issues related to return migration, integration and settlement. The report of the Administrative Committee on Coordination (ACC) Task Force on Basic Social Services for All, which deals with the implementation of the Programme of Action of the International Conference on Population and Development, will detail the issues addressed by the Working Group.

81. Several international organizations are active in the field of international migration, among them OECD and IOM. OECD conducts research, organizes meetings and conferences and disseminates timely data on international migration to OECD countries through its continuous reporting system on international migration (Système d'observation permanente des migrations (SOPEMI)). IOM conducts operational programmes, carries out technical cooperation activities, convenes conferences and meetings, commissions studies on various migration topics and publishes an academic journal on international migration.

B. International conferences

82. International migration was in the agenda of every major international conference after the International Conference on Population and Development. There were references to migrants and refugees in the Copenhagen Declaration on Social Development[5] and the Programme of Action of the World Summit for Social Development[6] adopted in March 1995; the situation of women migrants was discussed at the Fourth World Conference on Women in September 1995; and the central role of women in human settlements was recognized at the second United Nations Conference on Human Settlements (Habitat II) in June 1996. On 23 December 1994, the General Assembly adopted its resolution 49/166 on traffic in women and girls, in which the Assembly, inter alia, urged Governments to take appropriate measures to address the problem of trafficking in women and girl children and to ensure that victims were provided with the necessary assistance and rehabilitation.

83. The International Symposium on Environmentally Induced Population Displacements and Environmental Impacts Resulting from Mass Migrations, convened in April 1996 in Switzerland, discussed practical measures to prevent, mitigate and reverse the environmental degradation that both causes and results from population displacements. The Statement of Principles[7] produced by consensus at the Symposium sets a framework for action to address the negative environmental consequences of mass migration.

V. CONCLUSION

84. This report has reviewed progress with respect to policies, programmes and other activities in international migration implemented after the adoption of the Programme of Action of the International Conference on Population and Development. While recognizing the importance of endeavours at the international and regional levels, the report has focused primarily on activities in international migration undertaken at the country level.

85. Although some Governments had addressed international migration issues before the International Conference on Population and Development, responses from the field indicate that much activity occurred after the Conference. Most activities were focused on cooperation and dialogue between countries of origin and countries of destination. More than half of the 62 countries that responded to the inquiry (58 per cent) reported having engaged in bilateral and multilateral negotiations and discussions on the issue of international migration. Fifty-eight per cent of Governments had exchanged information with other Governments regarding their international migration policies and regulations governing the admission and stay of migrants. Twenty-one per cent of countries reported having discussed or signed readmission agreements to protect the basic human rights of undocumented migrants and persons whose asylum claims had been rejected. Several Governments had formulated international migration policies, passed migration legislation or modified existing policies and laws governing migration; several others were in the process of reviewing immigration legislation.

86. The migration of temporary labour was the topic of many negotiations and agreements between Governments. Thirty-four countries or 55 per cent of all countries that responded to the inquiry reported having engaged in bilateral or multilateral negotiations regarding labour migration or having formulated new policies or legislation in this area. Other countries reported that existing laws ensured that both groups of workers were paid the same wages and work under the same conditions. Seven countries reported having provided services to facilitate the emigration of nationals who sought employment abroad.

87. The majority of countries responding to the inquiry did not report having implemented post-Conference special programmes or activities to promote the social and economic integration of documented migrants and their families. It appears from the inquiries that many migrants had already been receiving the same treatment as nationals. Since the Conference, 16 developing and 6 developed countries had taken measures to eliminate discrimination and to suppress xenophobia and violence by racist groups.

88. A number of resettlement and rehabilitation programmes for refugees and returnees had been initiated or strengthened after the International Conference on Population and Development; 18 countries reported such activities. In other countries, such programmes had been in operation before the Conference.

89. The issue of undocumented migration was in the agenda in the negotiations in several countries that sought to reduce the number of undocumented migrants within their territory. Nineteen countries had adopted specific measures to address the problem, including formulating new policies such as enforcing border patrols and increasing penalties for undocumented migrant workers and employers who hired them, engaging in negotiations with other Governments and/or signing readmission agreements. Eleven countries reported activities to prevent trafficking in migrants.

90. There were encouraging signs of commitment and dedication to the implementation and strengthening of international migration programmes. The responses indicated that Governments were willing to exchange information, participate in negotiations and enter into bilateral and multilateral agreements with neighbouring countries on issues of special concern. They were also willing to participate on the international and regional levels in discussions of such major problems as undocumented migration, asylum abuse, integration of documented migrants, protection against discrimination and trafficking in migrants.

91. The challenges faced in implementing international migration policies and programmes, especially at the national level, are many. Governments must resolve such basic issues as how to formulate policies that will balance the interests of the migrant, the State and the international community; how to strengthen migration controls while remaining open and democratic; and how to place migration in the larger context of foreign and domestic policy goals. Governments must study the options available to curb the flow of undocumented migrants and, at the same time, ensure that persons who need international protection receive it. They must resolve the problem of addressing labour shortages by importing foreign labour or turning to solutions such as exporting jobs, increasing the productivity of current workers and mobilizing underutilized workers in the domestic labour force.

92. Financial constraints remain an obstacle to the implementation of programmes in international migration for many developing countries. Historically, the majority of funding for population programmes had been earmarked for reproductive health/family planning programmes. Scant financial resources remained for international migration activities. Donor agencies and Governments should be encouraged to allocate a certain percentage of their funding for population assistance to migration activities.

93. There is also a need for more information, education and communication concerning international migration. Governments, locally elected bodies, communities, the private sector and non-governmental organizations should work to increase public awareness of migration issues. It is important to sustain political commitment at all levels of society for the successful implementation of international migration policies and programmes. Information campaigns to

inform potential migrants of the legal conditions for entry, stay and employment in host countries are essential.

94. The Commission on Population and Development can play a major role in drawing the attention of the international community to the importance of addressing international migration issues and implementing the recommendations of the Programme of Action of the International Conference on Population and Development. The Commission should urge Governments to concern themselves with questions of migration and development, and to identify the causes of migration so that they can formulate more responsive policies. Governments should be urged to ensure that movements, both temporary and permanent, are orderly, and that migrants are treated not as commodities but as human beings with basic human rights. Of particular concern is the situation of women and children migrants, who must be protected from discrimination, abuse and exploitation. There is an urgent need to address gender issues and the special concerns of the family. Towards this end, Governments should be urged to collect migration data by gender. Particular attention should be paid to the special needs of refugee women and children.

95. A number of countries noted specific concerns and challenges in implementing international migration policies and programmes. These included experience of competition of functions among various departments responsible for aspects of international migration; difficulty in implementing measures to deal with the flow of undocumented migrant workers, especially with respect to controlling a long border between countries; difficulty in formulating clear policies regarding undocumented migration because of opposing interests of businesses; and difficulty in implementing policies at the field level because of conflicting views and inadequate staffing. For some countries, armed conflicts constitute a major obstacle to the implementation of international migration programmes.

96. The United Nations and international organizations with mandates in the area of migration have a crucial role to play in increasing awareness, knowledge, understanding and commitment at all levels of society so that individuals, community leaders, non-governmental organizations, policy makers, Governments and the international community appreciate the significance of international migration issues and take responsible actions to address them. The role of international organizations that address migration issues should be strengthened so that they can deliver adequate technical support to developing countries, advise in the management of international migration flows and promote intergovernmental cooperation and dialogue. Strategies must be developed to ensure that migration contributes to development and international relations.

97. International cooperation and collaboration are vital to the achievement of the goals and objectives of the Programme of Action of the International Conference on Population and Development in international migration. The United Nations is uniquely positioned to play a facilitating role in this regard by enhancing system-wide collaboration on issues related to international migration and by encouraging dialogues, both between and within countries, to resolve these issues. It should ensure that due attention is paid to human rights and to internationally agreed conventions.

Notes

[1] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[2] The following countries responded to the inquiry by 25 November 1996: developing countries: Bangladesh, Bolivia, Brazil, Burundi, Cambodia, Cameroon, Costa Rica, Cuba, El Salvador, Fiji, Guinea-Bissau, Honduras, Indonesia, the Islamic Republic of Iran, Jordan, Kenya, Madagascar, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, the Niger, Pakistan, Papua New Guinea, Paraguay, Peru, the Philippines, Rwanda, South Africa, Sri Lanka, Thailand, Togo, Turkey, Uganda, the United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Zaire and Zimbabwe; countries with economies in transition: Albania, Bulgaria, Poland, the Republic of Moldova and the Russian Federation; and developed countries: Austria, Germany, Japan, Liechtenstein, the Netherlands, New Zealand, Norway, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

[3] General Assembly resolution 44/25, annex.

[4] See Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994 (GATT secretariat publication, Sales No. GATT/1994-7).

[5] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (A/CONF.166/19), chap. I, resolution 1, annex I.

[6] Ibid., annex II.

[7] See UNHCR, IOM and Refugee Policy Group, Environmentally Induced Population Displacements and Environmental Impacts Resulting from Mass Migrations: International Symposium (Geneva, 1996).